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SPEECHES AND DESPATCHES.

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SELECTIONS

FROM

SPEECHES OF EARL RUSSELL

1817 TO 1841

AND FROM

DESPATCHES

1859 TO 1865.

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WITH INTRODUCTIONS.

IN TWO VOLUMES.

VOL. I.

LONDON:
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PREFACE.

SOME YEARS AGO in a great Chinese Exhibition there were three large figures, representing the Past, the Present, and the Future.

In the Speeches and Dispatches contained in these volumes will be found some records of the Past. In the Introductions the Past, the Present, and the Future will be noticed.

I have here to express my cordial thanks to Mr. Hansard, who has not only permitted me to use his valuable records of Parliamentary Debates, but has also furnished me with many sheets of reports of speeches, which I must otherwise have had copied for correction with much trouble and expense.

RUSSELL.

SAN REMO:

December 1869.

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INTRODUCTION TO THE SPEECHES.

INTRODUCTION.

I WAS ELECTED a Member of Parliament for the borough of Tavistock in July 1813, just a month before I became of age.

The state of public affairs at that moment was one, if not of anxiety, yet of the highest interest. The great Revolutionary War, which had continued with intervals from the invasion of France by the Duke of Brunswick in 1792, was evidently drawing to a close. That war may properly be divided into two very distinct periods. First, the vain, weak, and ineffectual struggle of the Powers of Europe against the insane strength of the French Revolution, terminated by the Treaty of Campo Formio, and the Treaty of Ratisbon, on the Continent of Europe, and by the Peace, or more properly, the Truce of Amiens, between England and France. Secondly, the struggle maintained on the one side by Napoleon Bonaparte with infinite ability, infinite ambition, and an entire disregard of moral or religious scruples, with a view to make himself despotic master of every country in Europe; on the other side, by the resisting power of England, and by the spirit of national independence, first roused on the Continent in the breasts of the Spanish people, and extending from them, as opportunity arose, to the people of Russia, of Germany, of Holland, and of Northern Italy.

For some years the conduct of the war on the part of the Allies, forms a strange contrast to the skill with which

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William III., Marlborough, and Prince Eugene, had conducted the Grand Alliance against France, and to the spirit and military talent, which Frederick the Great and Lord Chatham had displayed in the Seven Years War against the forces of France, Austria, and Russia. In 1792, the Duke of Brunswick, in contradiction to his own views and opinions, had issued a proclamation inspired by the French Royalist emigration, threatening with condign punishment the National Assembly of France, and all who held political, municipal, or other offices under the French Republic. This atrocious attempt to deprive France of the rights of an independent nation, was soon defeated in the field, and, by the just resentment which it provoked, was the main cause of the repeated and splendid triumphs of the French Republic. The beginning of the war was a trial of energy between the combatants, and in point of energy, as Mr. Burke has confessed, the French far excelled their opponents. In fact, the Allies were not only without energy, but without any motives by which enthusiasm could be excited. Each great Power had its own separate object. Austria wished to increase her territory, either by annexing Bavaria, or by conquering part of the French territory, as far as the banks of the Somme. Prussia wished only to enlarge her share of the partition of Poland, and employed the subsidies of England in conveying her army to fight the Poles, and acquire new provinces. Russia was intent solely upon the conquest of Poland, and her crafty Empress expressed in many pious phrases and moral maxims the utmost horror and detestation of the Jacobin Convention of Paris, while her sole object was to inflame the English and the Germans against France. In the mean time, her political intrigues and overwhelming legions secured and consolidated her Polish conquests. While she betrayed every Polish party, and crushed those

to whom she had promised protection, she indulged in unbounded licentiousness at St. Petersburg, and laughed at the pious zeal excited by the atheism of France.

The course of England, though more honest than that of the Continental Powers, was less definite, and less likely to obtain success. The restoration of the Bourbons was the wish, but not the object of the English Government.[1] The maintenance of the Austrian province of the Netherlands was the immediate object of Mr. Pitt, but it was pursued with little vigour by means of subsidies inconsiderately thrown away, of negotiations defeated by the insincerity of Prussia, and of military operations conducted by an English general, totally ignorant of the art of war, in co-operation with treacherous allies.

It was no wonder that hostilities thus conducted, failed of success. Nor when the energy of the Jacobin democracy abated, was the contest of military skill which followed more auspicious to the allies.

The military men who arose in France, Pichegru, Moreau, Hoche, Massena, and lastly Napoleon Bonaparte, defeated and dispersed the allies and compelled them to agree to ignominious terms of peace. The allied armies were usually commanded by men of little reputation at the time, and of complete obscurity in the present age. The military knowledge of the Archduke Charles, and the barbarous ferocity of Suwarrow shine out alone amidst the dearth of talent and of skill.

The second act of the great tournament of Europe was

[1] This wish was openly avowed by Mr. Pitt, in the debate on the Peace of Amiens:—

> Me si fata meis paterentur ducere vitam
> Auspiciis, et sponte meâ componere curas,
> Urbem Trojanam primum, dulcesque meorum
> Reliquias colerem, Priami tecta alta manerent,
> Et recidiva manu posuissem Pergama victis.

A natural wish in the breast of Æneas; a very strange one in the mouth of Mr. Pitt.

of a very different description. Napoleon, flushed with success, pretended that peace never could be made between France and the ancient monarchies, and considered his own supremacy over all the states and nations of Europe as the only security for what he and others called the principles of 1789.

This pretension alienated those in England and on the Continent who had been quite willing to see France constitute herself as she pleased, and even enlarge her boundaries to a considerable extent. In 1805, Mr. Fox, in opposition, wrote to his nephew, Lord Holland, that it was no time to talk of peace. In 1806, Mr. Fox, in office, conducted the negotiation which broke off not merely, as he told his nephew, on the point actually in dispute, but on account of the evident insincerity of the French Government. After this there remained nothing for those who were not disposed to allow England to be absorbed in the French Empire but to resist and to persevere.

The task seemed not only a difficult, but almost a hopeless one; no amount of subsidy, no coalition of powers, seemed likely to end otherwise than in such defeats as Austerlitz, Jena and Friedland.

Happily, from an unexpected quarter appeared the dawn of better times. Napoleon invited the King of Spain and his heir apparent to Bayonne with the view of betraying and dethroning them. Many Spanish grandees bowed their necks beneath the yoke, but every Spanish peasant felt his own honour assailed in the persons of his unworthy, contemptible, but still national Sovereigns.

The signal fire was lighted on every hill, the flame of independence blazed up in every bosom.

Here was indeed a crisis in the affairs of Europe. The cause of national independence, which in the first portion of the war was defended by France, was now about to be upheld by the other nations of Europe. No matter how

ignorant, how ill-armed, how ill-led the Spanish people might be, here was a nation animated by a real enthusiasm; ready to fight in the field of battle, in the town, in the village, in the farm-yard and in the peasants' cottage for the sacred cause of national independence.

It behoved England, therefore, to welcome this reviving spirit, to expend her growing treasures, to employ her extensive credit, to dispatch her most skilful officers, to marshal her bravest troops in defence of this sacred cause. England might be exhausted in the struggle, but by lifting up her heart to meet the mighty danger, and by an attempt to free herself and other nations from intolerable slavery, she could never be disgraced.

Unhappily Lord Grenville and the leaders of the Whigs did not perceive the nature of the change that had taken place.

Lord Grenville in the former war had directed Lord Malmesbury to insist upon retaining the Netherland provinces for Austria, when the attempt was hopeless. Indeed, Austria herself, when beaten in Italy, was willing to yield those provinces to France. Again, when Napoleon, as first Consul, had invited England to make peace, Lord Grenville had informed him that the best way of giving peace to Europe, was to replace the Bourbons on the throne of France.

With all the integrity, and with more than the abilities of the first George Grenville, he exactly answered the description which Burke has drawn of that statesman. When the waters were out, Lord Grenville, like his father, was unable to discern the means of safety. Now the waters were out. Lord Grenville and the Whig party dwelt on precedents of former wars; on the inability of Sir Arthur Wellesley to maintain himself in Portugal, and on the exhaustion of the finances which a war in Spain would entail, but they thought too little of the grandeur of the

struggle, and the obvious certainty that England or Napoleon must fall to rise no more. Towards the end of the year 1813, when Lord Grenville had begun to see more clearly the new aspect of affairs, Mr. Horner wrote to Mr. Allen, at Holland House, in the following terms:—

'Your account of the view which Lord Grenville is expected to take of Continental affairs, in a speech upon the first day of the session, has relieved me from an anxiety which I felt on that subject; for I have had fears that we were to make the same false step respecting this German war that has been so fatal to the party, and deservedly so, with respect to the Spanish cause. That the financial difficulties of the country will be increased by our embarking so deeply with the allies, as I think we ought to do, is true and ought not to be disguised; that the sanguine expectations, professed by the friends of Government, of a speedy settlement of the affairs of Europe have apparently no just foundation in the present aspect of them, ought likewise, in my opinion, to be stated; but I cannot hesitate now in believing that the determination of the French military force, and the insurrection of national spirit in the north of Germany, form a new conjunction in which the Whigs ought to adopt the war system, upon the very same principle which prompted them to stigmatize it as unjust in 1793, and as premature in 1803. The crisis of Spanish politics in May 1808, seemed to me the first turn of things in a contrary direction, and I have never ceased to lament that our party took a course so inconsistent with the true Whig principles of Continental policy, so revolting to the popular feelings of the country, and to every true feeling for the liberties and independence of mankind. To own that error now is a greater effort of magnanimity than can be asked for; but the practical effects of it will gradually be repaired, if a

right line of conduct is taken with respect to German affairs.' [1]

Such were the opinions of Francis Horner, a man thoroughly imbued with Whig principles, who had mastered in early youth the soundest doctrines of political economy, who spoke in Parliament in a clear and manly style of eloquence, who acted on every occasion of his short public life in the highest spirit of honour, and whose premature death caused deep and lasting affliction to all who knew him and to all who valued liberty.

But it is time to explain how it was that I embraced with warmth the opinions of Lord Holland and Mr. Horner in reference to Spain, rather than those of Lord Grenville and Lord Grey.

In the autumn of 1808, when little more than sixteen years of age, I accompanied Lord and Lady Holland to Corunna, and afterwards to Lisbon, Seville, and Cadiz, returning by Lisbon to England in the summer of 1809. They were eager for the success of the Spanish cause, and I joined to sympathy for Spain a boyish hatred of Napoleon, who had treacherously obtained possession of an independent country by force and fraud—force of immense armies—fraud of the lowest kind.

In 1810, I went on a visit to my brother, Lord William Russell, at the Isla de Leon. He then served on the staff of Sir Thomas Graham, who was gallantly defending Cadiz against two French divisions.

When my visit was over, Colonel James Stanhope, who likewise was on the staff of Sir Thomas Graham, proposed to me to go with him and Colonel Walpole to the head-quarters of Lord Wellington, who had just occupied with his army the lines of Torres Vedras.

This offer I joyfully accepted, and, after a voyage to

[1] Life of Francis Horner.

Faro, and a pleasant journey by Almodovar, we arrived at the quarters of General Hill.

The next morning we rode with General Hill through the small town of Alhandra, beyond which *abattis* were placed to stop the French cavalry, as this was the farthest English post. Indeed, it had been intended to leave Alhandra to the French; and I remember that Lord Grey, whom I met at dinner at Holland House on my return to England, was much surprised when I told him that I had ridden through the place within a fortnight.

My friends and I proceeded next day to Pero Nero, where we were most kindly received by Lord Wellington. We were furnished with bedsteads though not with beds, and the next morning before daylight, we accompanied our general to the fort of Sobral.

Never was I more struck than with the physical, military, and political spectacle which lay before me. Standing on the highest point, and looking around him on every side, was the English General, his eyes bright and searching as those of an eagle, his countenance full of hope, beaming with intelligence, as he marked with quick perception every movement of troops and every change of circumstance within the sweep of the horizon. On each side of the fort of Sobral rose the entrenchments of the Allies, bristling with guns and alive with the troops who formed the garrison of this fortified position. Far off, on the left, the cliffs rose to a moderate elevation, and the vicinity of Torres Vedras was prominent in the distance.

Below us, over a large extent of hill and valley, plain and eminence, was the position of the French army. The villages were full of their soldiers; the white sails of the Portuguese windmills were actively in motion for the supply of flour to the invading army. There stood the advanced guard of the conquering legions of France; here was the living barrier of England, Spain, and Portugal

prepared to stay the destructive flood, and to preserve from the deluge the liberty and independence of three armed nations. The sight filled me with admiration, with confidence, and with hope.

Impressed with these sentiments I returned to England. Being some time in the succeeding autumn at Lord Grey's at Howick, I betted a guinea with his brother-in-law, Lord Ponsonby, that at that time next year Lord Wellington would still hold the lines of Torres Vedras. Lord Grey thought that I had made a foolish bet, and referred to the lines of Marshal Villars, called the *ne plus ultra* of Marlborough, and which Marlborough successfully penetrated, as a proof that the lines could not be held. At the end of a year Lord Ponsonby paid me my bet.

I remember that in the year 1812 being at dinner at Lord Wellington's head-quarters, he called to Lord March (afterwards Duke of Richmond), 'What are you talking of at that end of the table?' Lord March: 'We are discussing, sir, the question whether if we went back to the lines at Torres Vedras, we should again be able to hold them.' Lord Wellington said: 'That may be a political question, but as a military question, I would go back twenty times to the lines, and be confident of holding them.' I saw Lord Wellington on three other occasions during the Peninsular war.

The second was, when in company with my cousin George Bridgeman, and my friend Robert Clive, I entered Spain from Oporto. We joined the army at the time when Lord Wellington, after the victory of Salamanca and the capture of Madrid, had failed in his siege of the castle of Burgos. I sat next to him at dinner in the evening when he had made up his mind to retire, and to withdraw his army both from the siege of Burgos and the occupation of Madrid. I knew nothing of this important and mortifying decision, nor could anything less prepare me for it than

the conversation of the great commander. He said he was sorry he could not show me the castle; talked of the advance of the French army, of which I had been a witness, as a *forte reconnaissance*, and laughed at the luxury of a Highland soldier, who had piled up a whole tree and set it in a blaze, in order to make himself a comfortable fire-side. The rest of his conversation was taken up by comic descriptions of the defects of his three iron guns—Thunder, Lightning, and Nelson—of which one had a severe wound in the mouth, and another had lost its trunnions by the fire of the enemy. After dinner, my companions and I were informed by Colonel Ponsonby that a retreat was resolved upon for that night, and we were advised to pack ourselves off as quickly as we could. We lost no time in following that advice, and, for my part, I found a very comfortable bed on a heap of chopped straw some leagues from Burgos. We tried to reach Madrid by San Ildefonso, but were again driven back by the French advance, and forced to proceed by Salamanca and the Sierra de Gata to Badajoz, Seville, and Cadiz.

At Cadiz, during the winter, I met the Duke of Wellington when he paid a visit to that town, to concert with the Government and the Cortes as to future measures. Lord Wellesley had been urging in Parliament the expediency of sending large reinforcements to the British Army in the Peninsula, but Lord Wellington did not share in this opinion. He related at some length the difficulties encountered in transporting two regiments from Lisbon to the army on the frontier of Portugal, and observed how little statesmen at home knew of these difficulties, and of the time and money expended in overcoming them. Lord Wellington was no less solicitous about the arrangements to be made for transporting and provisioning the army, than about the military operations themselves. Mr. Bissett, who acted as Chief Commissary during the absence

of Mr. Kennedy, told me that on the day of the Battle of Salamanca, Lord Wellington sent for him. He found him lying on his camp-bed, having devoted an hour or two to repose, while a division which he had sent for, to take part in the battle, was coming up from a distance. Mr. Bissett told me that Lord Wellington entered with the greatest detail into the arrangements to be made for the transport and supply of the army with provisions. Thus, on the eve of a great battle, Lord Wellington could refresh his bodily energies by a short repose, and dictate the complicated arrangements necessary for an army whose means of transport and whose food were paid for and not extorted by force. While he did so, his mind was undisturbed by the immediate prospect of an impending battle, in which his fame and his life were to be exposed to a hazard which might have appalled men of the greatest courage.

In the autumn of 1813, I again saw Lord Wellington at his head-quarters in the Pyrenees. It was either at Lesaca or at Vera that I was for a day at the British head-quarters. I could not but feel admiration and joy at beholding the General whom I had visited in a critical position, defending with difficulty the capital of Portugal, now advancing in command of an admirable army to the invasion of France. The same coolness, the same imperturbable judgment in the midst of danger distinguished him in the advance, as had marked his prudent defence of the lines of Torres Vedras. My brother, Lord William Russell, who was on his staff, told me that on one occasion a single division of the army having crossed a river, Lord Wellington with a few officers of his staff likewise crossed with a view to observe the enemy. In the evening the river was flooded, and it swelled with such rapidity that it was impossible to pass from one bank to the other. The officers of the staff showed some anxiety lest the French should take advantage of the dangerous

position of a single division of the army and overwhelm General and troops with their superior forces. Lord Wellington, alone, remained perfectly calm, and never betrayed the slightest symptom of uneasiness or anxiety. Such was, in fact, the strength of mind upon which the whole British Army relied, stronger than the arms they bore, unconquerable as the discipline by which they were united and controlled. Thus Ovid in describing Cadmus when about to encounter the Python, says,

telum splendenti lancea ferro,
Et jaculum; *teloque animus præstantior ullo.*

Such was the spirit by which, at the end of this great contest, the constancy, courage, and perseverance of the British people, animating the prostrate nations of the Continent, at length achieved a triumph over the most formidable combination of military genius, warlike population, conquering armies, and political talent, which ever threatened the independence of our country.

In 1814, happening to be with my father at Florence, I found there was an opportunity of going to Elba in a brig of war, and I eagerly availed myself of the occasion to have an interview with the late master of Europe. With Lord Ebrington (afterwards Lord Fortescue) he had spoken fully of his past life, and the accusations which history might bring against him, but when I saw him he was in evident anxiety respecting the state of France, and his chances of again seizing the crown which he had worn for ten years. I was so struck with his restless inquiry, that I expressed in a letter to my brother in England my conviction that he would make some fresh attempt to disturb France and govern Europe.

In speaking of the Duke of Wellington, he said it was a mistake to send him as Ambassador to Paris:—'On n'aime pas un homme par qui on a été battu.'

The coalition of 1815 and the Battle of Waterloo put

an end to Napoleon's enterprise and restored peace to Europe.

I have pointed out what I conceive to have been the error of policy of the Whig party, when they failed to see that the war of 1808 was a war in a great popular struggle, linked closely with the cause of the independence of Europe. After the peace of 1815 the Tory party committed an error as great, and still more irretrievable.

During the continuance of the war, men readily listened to the saying of Windham, that it is dangerous to repair our house in the hurricane season, and thus Lord Eldon, Lord Sidmouth and other bigoted Tories were permitted to leave unaltered the windows which shut out the light from every corner of the Palace and the Parliament. But when the storm was over, men would naturally survey the building, repair the crumbling walls, and admit the excluded rays of the sun.—A wise Ministry would have studied Mr. Pitt's policy from 1784 to 1792, and would have found how little ground there was for considering him as an enemy to extended commerce and religious freedom.

As, however, the majority of the ministers preserved in 1816 the attitude their great leader had taken in 1793, it behoved the Whigs, who had toasted in the worst of times 'The cause of civil and religious liberty all over the world,' to come forward and under happier auspices to reform our foreign policy, our financial system, our commercial exclusions, our intolerant laws, and lastly our Parliamentary representation.

The foreign policy of our Government was at this time a timid repudiation of all those doctrines of national liberty and independence which had been inscribed on our flag at the end of the war, and which had led Madame de Staël to declare that the Tories of England were the Whigs of Europe.

Our financial system was based on the necessity of

keeping up a Navy and Army suited to our high position, and of paying the interest of a debt which, having amounted to one hundred and thirty millions before the American War, had risen to eight hundred and thirty-six millions at the death of George III. In order to defray these expenses, the taxation of the country had penetrated to every corner and cranny of an Englishman's life, in the manner described with so much humour, and no less truth, by Sydney Smith.

With the same object of collecting a large revenue, and also of promoting native industry, prohibition and protection pervaded our commercial code.

No Roman Catholic could hold high civil office, or be admitted to a seat in Parliament. No Protestant dissenter could hold any official position without nominally, at least, submitting to what, in his eyes, were degradation and profanation.

Last of all, our Parliamentary representation was a mockery and a scandal.

But I must explain these various matters of grievance somewhat further. The Treaty of Paris had replaced the elder Bourbons on the throne of France, and the Congress of Vienna had divided the territories of Europe among the Sovereigns whose arms had defeated Napoleon. It was to be desired at that time that the wishes of the people of Europe should be consulted both in the choice of the Sovereign whom they were in future to obey, and the form of the institutions by which they were thenceforth to be ruled. Both these conditions were set at nought by the armed monarchs at Vienna. The Belgians wished to be Belgian; they were made Dutch. The Lombards wished to be Italian; they were made Germans. The old Republics of Holland, Genoa and Venice were not restored; the Prussians, who had indulged the hope of having a Constitution granted to them, were not gratified; the charter granted

to the French people by Louis the 18th, contained ambiguous phrases by which Charles the 10th was enabled, fifteen years afterwards, to assume the power of dispensing with its most important provisions.

Lord Castlereagh was not wholly to blame for the violation of the solemn promises which the military rulers of Europe had made to the people of Europe, with a view of obtaining their aid against Napoleon. At Chatillon Lord Castlereagh had been powerful; he held the key of the strong box of England, and could dispense at pleasure million after million of treasure to the coalesced Sovereigns. Again, in 1815, ten millions of pounds sterling had been granted in subsidies to the German Princes, and Great Britain spent about a hundred and forty millions in that war of a hundred days. But, after Waterloo, the work was done, and the statesman who had been all-powerful at Chatillon was powerless at Vienna. He tried to save Poland from the arms of Russia, and he assisted Talleyrand in defending Saxony against the ambition of Prussia. But neither Russia nor Prussia required any more subsidies; immense armies were employed to watch any symptoms of resistance, and

> 'Ease will recant
> Vows made in pain as violent and void.'

Mr. Canning, as Foreign Secretary, might have done better, but he had unhappily excluded himself from that office, and was content with a useless Embassy at the Court of Lisbon.

Thus it happened, that after the gigantic efforts made by Spain, by Russia, and by Germany, the Continent lay almost as much enslaved by its old, and for the most part dull sovereigns, as it had been since the beginning of the century by the marvellous genius of Napoleon and his victorious legions; only instead of the improvements, and material benefits gained by the efforts of the French

National Assembly of 1789, the Continent of Europe returned to the old feudal laws and corrupt administration of the despotic monarchies of Europe.

Thus, the English Government, in conquering Napoleon, and quenching the flame of Jacobin Revolution, did not succeed in establishing a satisfactory or permanent settlement. Pitt, in 1805, had drawn out a sketch of a restored Europe, such as he wished it to be, should fortune crown the arms of the Powers then at war with France. In this sketch Belgium was given to Prussia. A military Power of that magnitude might have had a chance of suppressing a Belgian insurrection; the supremacy of Holland was sure to tempt a foreign people to resistance, and to provoke a combat in which the Belgians might meet the Dutch on equal terms, and thus bring on European intervention.

In 1830, such an insurrection took place, and nothing but the temperate wisdom of the then ruler of France, and the judicious firmness of Lord Grey and Lord Palmerston, prevented a European war.

Italy could only be coerced, not governed, by Austrian Archdukes and Austrian armies.

The treaty by which France was given over to the Bourbons, and liberty kept in check by the passive submission of France, was attacked by Mr. Horner in a most able argumentative speech. The cause of the ancient republic of Genoa, and of the old public law of Europe, was pleaded with great weight of reason and authority by Sir James Macintosh.

But a question touching England more nearly than the state of the Continent, was now to be submitted to her Government, her Parliament and her people. What was to be thenceforward her home policy? Before the great convulsions of France, in 1785, Mr. Pitt had proposed parliamentary reform, not indeed as Minister, but with all the weight of his personal character. In 1786, in concluding

a commercial treaty with France, he had founded his measure on the principles of free trade, temperately and gradually introduced. In 1792, Pitt and Fox had lauded, as the source of all our prosperity and all our greatness, the principles of the British Constitution. In 1801, in framing the measure for a legislative Union with Ireland, Pitt had proclaimed as its basis, that England, Scotland and Ireland were to be placed on a footing of equality. He contemplated the admission of Roman Catholics to seats in Parliament, and with few exceptions to all civil and military employments. He projected a permanent grant to the Roman Catholic clergy, which would have placed them on a footing of virtual equality with the clergy of the Established Church.

Questions of this importance, which occupied Pitt's mind before and during the war, were thrust aside by the imminent perils of the war itself; and by the necessity of combining the elements of a majority who might agree upon the policy of continuing the war, although they might differ upon all other questions.

Thus he renounced his views on reform of Parliament in gratitude to the supporters who had opposed what he called the Jacobin party; he put free trade in abeyance in order to raise the supplies for the year; and, after a temporary retirement from office, he consented to suspend the pacification of Ireland in deference to the King's scruples and the strong anti-popery feeling of the country.

But now, with the war concluded, a very large debt contracted, trade embarrassed and manufactures depressed, these questions were sure to arise. Free trade, parliamentary reform, pacification of Ireland, might each be expected to excite popular discussion and parliamentary movement.

Had Pitt lived till 1815, he might have recurred to

his study of Adam Smith, and promoted freedom of trade with foreign countries; he might have introduced a temperate reform of the representation; he might have pacified Ireland without waiting for the threat of civil war, or fearing the conscientious scruples of the Prince Regent. For the Prince Regent, in 1812, had empowered Lord Wellesley to form a Ministry on the basis of granting what was called 'Catholic Emancipation.'

But these are questions belonging to the hypotheses of what might have been; my task is to record what was the policy of the Ministry of Lord Liverpool.

Lord Liverpool, of whom Lord Melbourne said after his resignation, 'that he had been clear in his great office,' had the merits of unblemished character, of great fairness in debate, and of avoiding extremes in policy. He was a man of very moderate understanding, not averse to some relaxations in matters of trade, but utterly averse to parliamentary reform, and too much imbued with the prejudices of the Tory party to admit the claims of Roman Catholics to seats in Parliament or political office. He had been the butt of Canning at Oxford; he was his master in Downing Street: and Lord Castlereagh, who was the leader of the Government in the House of Commons, had in fact the superior power in domestic as well as in foreign affairs.

Lord Castlereagh had entered the Irish House of Commons early in life. He had professed opinions favourable to parliamentary reform. But having received from the Irish Government the offer of the high and responsible office of Chief Secretary, with the lead of the Irish House of Commons, he accepted it, and became the exponent of the policy of the Government on the critical questions of the Rebellion and the Union. There can be no doubt that the insurrection was suppressed with little regard to humanity, and that the Union was carried by means of political corrup-

tion. But Lord Castlereagh, while he obtained the praise of Lord Cornwallis for his ability, judgment and habits of business, did not incur any peculiar reproach for want of feeling or want of integrity. After the Union, it was proposed to him to lead the Irish supporters of Government in the House of Commons. But he declined this separate position, and chose rather to be merged in the general body of the ministerial party than to be the leader of the Irish members. He did not resign with Pitt; on the contrary, he held an important office in the Addington administration. Yet he was favourable to the claims of the Roman Catholics, and gave them his support as soon as George III. ceased to have personal control over public measures. It is said that many years afterwards, when Grattan's friends were assembled round his bed, the dying patriot said to them, 'Don't be hard upon Castlereagh—he loves our country.' It is added that when Lord Castlereagh heard of these words of his great opponent, he burst into tears. I cannot vouch for the truth of this anecdote, but I think it probably authentic.

Lord Castlereagh, who had been often pointed out as the successor of Pitt, wanted the large views of that great man. Still more obviously did he fail in following the magnificent march of Pitt's eloquence. Lord Castlereagh was obscure, garnishing his speeches with confused metaphors. He took three-quarters of an hour in telling the House of Commons that he did not mean to make any motion on the Treaties of Vienna, but that any private member was at liberty to do so. On another occasion, he had gone on for an hour speaking upon what subject no one could guess, when of a sudden he exclaimed, 'So much, Mr. Speaker, for the law of nations.' On another occasion, when he had spoken for an hour tediously and confusedly, he declared, 'I have

now proved that the Tower of London is a common law principle.' Of Spain he declared, that 'the pendulum had swung so far on the side of Jacobinism, that it afterwards swung quite as far on the side of anti-Jacobinism, which had prevented its settling in a middle point.' Every one has heard of his exhortation to the country gentlemen not to turn their backs upon themselves. He is said to have ended one of his long orations with the little word 'its.' He had no classical quotation, no happy illustration, no historical examples with which to adorn argument and enforce conviction. Yet his influence with his party was very great, and he was, till near the close of his life, a successful leader of the House of Commons.

For this end he possessed, besides the halo of glory encircling his brow as the Minister who had successfully concluded an arduous war, very considerable advantages. He was, as a man of business, clear, diligent, and decided. His temper was admirable—bold and calm, good-humoured and dispassionate. He was a thorough gentleman; courteous, jealous of his own honour, but full of regard for the feelings of others. No one doubted his personal integrity, however much they might dislike his policy. That policy was detestable. None of the great subjects which had been in abeyance during the war—free trade, parliamentary reform, the grievances of Ireland—were made the basis of ministerial measures. The Tory party dreaded free trade doctrines, as likely to lead to the subversion of the corn laws. Mr. Canning, who had again become one of the Ministry, was a vehement opponent of parliamentary reform. On a motion of mine to disfranchise Grampound, he said to his constituents at Liverpool, 'In disfranchising Grampound, if that is to be so, I mean to preserve Old Sarum.' With respect to the Catholic question, brought forward in 1816 by Mr. Grattan, Mr. Peel, then Chief Secretary of the Lord-

Lieutenant, made a powerful speech on the argument, that if the higher Catholics were admitted to Parliament, the great mass of the people would make a demand—an irresistible demand—for the abolition of the Protestant Church. Lord Castlereagh and Mr. Canning were permitted to vote for the motion, but Lord Liverpool maintained that his Ministry must continue divided upon a question vital to the empire; and for fourteen years after the peace, this perilous and discreditable see-saw continued.

Even upon questions of social progress remote from party politics Lord Castlereagh resisted innovation. Sir Samuel Romilly, a man of austere virtue and the most enlightened humanity, tried to amend our criminal law; Lord Castlereagh obstructed, and successfully opposed, his progress. The same great and liberal man proposed to make freehold property subject to the payment of simple contract debts; the law officers of the Crown would not hear of so dangerous an innovation.[1] So with regard to the Slave Trade and slavery; in speaking of the omission of Lord Castlereagh to insist on the condition that France should not revive the Slave Trade, and of our own acquisition of new colonies, Sir Samuel exclaimed, 'These colonies have been bought with the blood of Africa!'

His look of stern indignation added to the effect of these words. Never was purer integrity, more enlightened philosophy, or a more profound love of mankind, shown in the application of political science to practical legislation.

The conduct of the Government in refusing all measures of improvement or relief amid the distress which soon

[1] One of the Crown lawyers said that it was a mistake to say the law dated from the reign of Henry VIII.; that its origin was as far back as the time of Edward I. 'What care I,' retorted Romilly, 'whether this law was made by one set of barbarians or another?'

after the peace befell both the manufacturing and the agricultural classes, produced its natural effects—anger, discontent, disaffection, and secret conspiracies. Lord Sidmouth had recourse to the usual weapon of arbitrary government; he employed spies to discover the plans of the conspirators, and the spy, as usual, fomented the disaffection which he was sent to investigate. A knot of disaffected persons in Derbyshire were told by the spy that 70,000 men in the neighbourhood of Manchester were ready to rise in insurrection, and some of these unhappy dupes having appeared in arms to support their allies, were condemned and executed.

In 1817 the Habeas Corpus Act was suspended in England; in 1819 six bills for the suppression of disturbance and the repression of discussion at public meetings and by the press, were introduced and passed. Lord Castlereagh, with his usual boldness, in bringing forward his portion of the bills, said,—'I rise for the purpose of proposing to the House measures of severe coercion.'

It was evident that, if such was to be the peace policy of the Government, it behoved the Opposition to declare their own policy, and take issue on their proposals, as contrasted with those of the Government.

The Opposition of that day was neither a strong nor a compact body. Except Lord Grey, who had, much to his annoyance, been transferred from the House of Commons to the House of Lords, and who was not at this time very active in political life, the Opposition had no leader fit to inaugurate a policy or to lead a party. I remember being summoned to a meeting of the members of the party, both Lords and Commons, at Burlington House, early in the year 1817. Lord Grey, in a few clear, bold, and dignified sentences, sketched the policy expected from the Ministry, and his own determination to oppose to the

uttermost such of those measures as should be brought forward in the House of Lords. He ended by saying, 'Mr. Ponsonby will explain to you what is expected on the part of the Government in the House of Commons.' Mr. Ponsonby then addressed the meeting, and declared that he knew nothing of the proposals to be made by the Government in the House of Commons, or of the course that it was fit to pursue.

While such was the inability of the leader who had been set over us, there was little concord as to the measures to be resisted, or the motions to be brought forward by members of the Opposition. On foreign policy, little was to be done at this time. On the question of retrenchment, I moved in 1816, by the advice of Mr. Tierney, that the Estimates should be returned to the Government with a prayer for their reduction. This motion failing, the question was taken up by Mr. Joseph Hume, who had great knowledge of details, unblemished honesty, and dogged perseverance.

With regard to parliamentary reform, as I took the lead upon that question from the end of 1819, it may be as well to explain the notions prevailing in the party. The abuses which had existed in the representation, and which had gone on increasing in virulence ever since the Revolution, had from time to time excited violent bursts of indignation but the flame of reform, after blazing fiercely for a while, had sunk again to the ground, and like a fire of straw had burnt itself away.

Impracticable theories or weak palliatives had been suggested instead of a wholesome remedy. The Duke of Richmond and Major Cartwright were in 1780 the advocates of personal suffrage. Pitt and Fox had both professed themselves favourable to a temperate reform. But the majority of Pitt's adherents did not follow him upon this subject, and while Fox, Sheridan, and Grey were

favourable to parliamentary reform, Lord Rockingham and Burke were opposed to it. With these traditions, the Whigs of 1819 were much divided in opinion, many dreading, with the old Whigs and the Grenvilles, the agitation of so serious a subject, and others, left to their own inspirations, promoting impracticable schemes. Lord Milton opposed reform. Lord Althorp and Mr. Brougham supported it.

It seemed to me that this question was the test by which the popular principles of the Whigs, and the Liberal party in general, were to be tried. As a question of men, I could not understand how any Ministry could be formed with a fair prospect of stability while a phalanx of members for close boroughs could be marshalled at any time, and drive Liberal statesmen from office, to expiate by a penance of ten or twenty years the crime of having brought forward measures favourable to religious liberty, or hostile to a corrupt expenditure. As to measures, similar reasoning might be applied so long as a cabal of interested persons could feel certain of defeating any plan of reform injurious to their personal interests. There was no hope, therefore, unless parliamentary reform were seriously taken up and resolutely pursued, of arresting the course of severe repression, religious intolerance, and wasteful expenditure, which was upheld by all the strength of a great party, victorious in foreign war, fortified by the possession of boroughs which gave a majority in the House of Commons, and apparently invincible from a long possession of Government patronage, spreading over the Church, the law, the army, the navy, and the colonies.

In assailing such a power, it behoved the Opposition to be very cautious; indeed, I had, like many others, somewhat of a superstitious reverence for a system which seemed entwined with our liberties, and almost linked

with the succession to the Crown. There was besides the danger of touching public credit, which was rightly compared by Lord Chatham to a sensitive plant, shrinking from the slightest contact with a rude hand. It was necessary to exorcise what Mr. Bentham called the 'hobgoblin argument,' and this could not be done by bell and candle, but must be met by clear argument, and dispelled by the light of day.

Such, then, was the problem which in 1819 I had to examine and consider.

On the question of financial economy, I am convinced, that when the sums proposed in the yearly Estimates are excessive, and show profusion or carelessness, the motion suggested by Mr. Tierney in 1816 is the proper course for the House of Commons to adopt. Mr. Hume, however, with indefatigable industry and perseverance, in 1822, and following years, attacked the various items of expense, and succeeded in persuading the country that the general character of the Government was not marked by economy.

The motion which I made in 1816 produced able speeches in debate, but no adequate result on the division.

In fact, the men of property, who had the representation in their hands, still feared a fresh explosion of the French Revolution, and were disposed to trust blindly to those who had ended the war with glory, and replaced the Bourbons on the throne of France.

I have said that in 1817 the Habeas Corpus Act was suspended. At this time I had felt attendance in the House of Commons to be too fatiguing for my health, and I resolved to give up my seat in Parliament—at least for a year. Before doing so, I opposed the Suspension Bill in the speech contained in this volume.

I was returned to Parliament in 1818 for the borough of Tavistock, and in 1819 I spoke on the subject of parliamentary reform.

The state of the representation of the people in the House of Commons, which in 1780 had excited so much popular discontent, had in the course of a long lapse of time become more and more unsatisfactory. Successive sovereigns had granted the right, or imposed the burden, of returning members to Parliament on the corporations, freeholders, or burgage-tenants of numerous small towns. Powerful peers and wealthy commoners had bought property in these small boroughs with a view to increase their political influence. One noble lord used to go out hunting followed by a tail of six or seven members of Parliament of his own making. Another, being asked who should be returned for one of his boroughs, named a waiter at White's Club; but as he did not know the man's christian name, the election was declared void, and a fresh election was held, when, the name having been ascertained, the waiter was duly elected. The object of the boroughmongers, as they were called, was generally to buy up the freeholds or burgage tenures in a small borough, with a view to reduce the number of electors to a manageable number. If a freeholder or burgage-tenant refused to sell, it was not a very uncommon practice to blow up his house with gunpowder, and thus disfranchise a political opponent.

In this manner a number of boroughs, called nomination boroughs, were created, and became valuable property. A seat for the whole duration of a Parliament was sold for 5,000*l.* But as Parliaments were subject to sudden death, prudent men made a bargain to pay 1,000*l.* a year so long as they sate in the House of Commons. Mr. Ricardo, and many others, were members of the House of Commons in virtue of such payment. Sir Francis Burdett entered Parliament by purchase of a seat from the trustees of the Duke of Newcastle—a minor. Other proprietors of boroughs sold their seats to the Treasury for rank, office, or patron-

age. A friend of mine was concerned for a friend of his in a transaction of this kind. A valuable sinecure was part of the assets to be allotted to the seller of a portion of the representation of the people—I think not less than four seats. The partial remedies applied from time to time by Parliament did little to cure a widespread and notorious evil. Shoreham, where a club, called the Christian Club, sold their borough and divided the profits, was thrown into the Rape of Bramber. Lord Chatham expressed his satisfaction that Shoreham was taken away from Bengal, and restored to the county of Sussex. Similar treatment was applied to Aylesbury.

But these rare punishments were ineffective while the general system was so corrupt.

The prevailing notion in 1780 was to diminish the representation of the boroughs and increase that of the counties; or, at all events, to add 100 to the representation of the counties, by way, as it were, of diluting the noxious ingredients. Lord Chatham highly approved of this remedy; but Lord North, with characteristic humour, said—'Some ask, with Lear, for a hundred knights; and some, with Goneril, for fifty; but I say, with Regan, what need of one?'

It was clear that no efficient remedy could be applied unless by means of a strong party organisation, or a strong public opinion; and both were wanting.

In 1801 Pitt, in his speech on the Union, declared not only that he would not propose reform while the war required the undivided energies of the nation, but that the resistance to Jacobinism displayed by the House of Commons during the French war persuaded him that no reform of Parliament was necessary!

Fox, on his side, induced Grey to bring forward reform in 1797, not with a hope of carrying any measure, but as a protest against the whole foreign and domestic policy

of the Government. Thus reform became in men's minds closely connected with revolutionary change.

Sir Francis Burdett, in later years, proposed reform in the spirit of Bolingbroke and the Tory party of the reign of Queen Anne. The Tory theory of that time was that the House of Commons ought to be a check upon the Crown, but that no Minister ought to sit in the House of Commons. The Whig theory, which was adopted by a compromise called 'West's Expedient,' from the name of its proposer, admitted Ministers into the House of Commons, if duly elected after the acceptance of office, and instead of leaving to the Sovereign the free choice of his political servants, insisted that the Ministry as a united and responsible body should possess the confidence of the House of Commons. Sir Francis Burdett, reverting to the notion that the prerogative of the Crown, in choosing its servants, ought to be unfettered and uncontrolled, said, in bringing forward a motion for reform of Parliament, 'If a country gentleman were to offer to a servant out of place to make him his butler, and the man were to answer, "I will not be your butler unless you will take Harry for your coachman, and Thomas for your groom, and Dick for your footman," the gentleman would be greatly astonished.' This remark proves that Sir Francis Burdett was, as he sometimes avowed himself to be, a high prerogative Tory of the days of Queen Anne. Thus, this mode of arguing the question of reform was an arraignment of the whole course of constitutional government, as it had existed from the accession of the House of Hanover, and tended to no practical result.

Yet the case against the House of Commons, as an imperfect and distorted image of the people, was stronger than ever. On the one side, the strength of the nomination system was such, that even Mr. Canning felt the weight of the chain he was unable to burst. When

he was going to India, Mr. George Vernon Harcourt, meeting him in a passage of the Opera House, said to him, 'I cannot but lament your going to India; I was in hopes that one day you would have been the leader of the House of Commons.' Mr. Canning answered that at one time he had entertained a similar hope, but that when he saw that the Ministry were obliged to yield to the dictation of the Duke of —— and the Duke of ——, he no longer had a wish to be their leader.

On the other hand, while a few men governed the Government, large commercial and manufacturing cities had grown up which had no representatives in Parliament. Mr. Stuart Wortley conducted all the local business of Yorkshire—of Leeds, Halifax, Bradford, and Sheffield; Lord Stanley that of Lancashire, that is, of Manchester, Oldham, and other populous towns. On public affairs these great centres of industry, skill, intelligence, and wealth had no representative voice whatever.

With a view to work my way to a change, not by eloquence—for I had none—but by patient toil, and a plain statement of facts, I brought before the House of Commons the case of Grampound. I obtained an enquiry; and with the assistance of Mr. Charles Wynn I forced the solicitors employed in bribery to reveal the secrets of their employers: the case was clear; the borough was convicted.

At this time Lord Castlereagh, who had always been personally very kind to me, invited me to speak to him on one of the benches behind the Treasury Bench. He told me that the Government would cordially support me, if I would content myself with extending the right of voting for Grampound to the neighbouring hundreds. I answered him that I could not agree to that proposal, and that I must persist in proposing that the franchises of Grampound should be transferred to the town of Leeds.

This was, in fact, the whole principle at issue between the Government and the reformers. The hundreds of Cornwall represented the stationary policy of the Ministry; Leeds, the new population which I sought to admit, and with them the principle of reform. When, twelve years afterwards, I proposed a bill of reform, on behalf of Lord Grey and his colleagues, Mr. Alexander Baring said, 'The plan takes away representation from the barley-field and gives it to the coal-field.' This was the truth in 1819, as in 1832. My proposal took away representation from the dead bones of a former state of England, and gave it to the living energy and industry of the England of the nineteenth century, with its steam-engines and its factories; its cotton and woollen cloths; its cutlery and its coal-mines; its wealth and its intelligence. The present vindicated its rights; the past lost its privilege.

But to return.

After a long conversation, Lord Castlereagh persisted in his view and I in mine. I carried my bill in the House of Commons; but when it went to the House of Lords, the town of Leeds was expunged, and the two disposable seats were given to the county of York. Thus the introduction of new representation was avoided. It is singular, however, that the Government of 1820 should have thought that by excluding Leeds, Manchester, and Birmingham from representation, they were consulting the Conservative interests of the Constitution! Such, however, was the spirit of the Government of Liverpool and Castlereagh.

After the disfranchisement of Grampound, I revolved in my mind a plan for the reform of the whole state of the representation.

In meditating upon this subject, I had to survey not only the danger of shaking an edifice which resembled rather a strong fortress than an ordinary dwelling-house,

but also the party objections which would be brought against me.

Mr. Tierney told me that the notes to members usually sent out when a party motion was in contemplation, could not be allowed to me on the question of reform. An old and powerful Whig member of Parliament told me that he never knew the question of parliamentary reform brought forward without doing harm to the party.

Thus discountenanced by my betters and my elders, I had to consider the position, the character, and the principles of the Whig party.

It seemed to me then, as it does now, that the Whig party had from the Revolution of 1688 endeavoured to accommodate itself to the wants of the time, without binding itself slavishly to precisely the same course. In the reigns of William III. and Queen Anne, the party had devoted its energies to wars against the ambition of Louis XIV. That contest rendered necessary the exclusion of Roman Catholics from all those vantage points of power of which James II. had availed himself, to subvert the liberties of Englishmen.

During the reigns of George I. and George II., Walpole had confined his home policy to the single point of maintaining the House of Hanover on the throne. When asked by a leading dissenter to support the repeal of the Corporation and Test Acts, he urged that the time was inopportune. The dissenter, ill satisfied, wished him to be so good as to point out when he would support such a measure. The Minister said he would answer in one word, 'Never.'[1] Walpole was probably as little inclined as any man to favour the exclusion of Protestant dissenters, or the enactment of harsh penal laws against Roman Catholics. But he knew that if he favoured religious liberty, the Church would rise against him, and would probably overthrow

[1] See Coxe's *Life of Sir R. Walpole.*

the Protestant succession. His maxim was, therefore, *Quieta non movere.* Lord Chatham, who was entrusted with the lead of the House of Commons when the country had drifted into war, carried on that war so gloriously, that the peace of 1763 marked the ascendancy of England both in the East and in the West. After this time the Whig party fell into a state of decline, and for several years there was scarcely a perceptible difference between Whigs and Tories.

The American War and the debating powers of Mr. Fox led to a revival of party distinctions, and the new Whigs engaged in the pursuit of objects which the old Whigs had not dreamt of. These objects may be thus shortly defined.

1. Not to interfere in the internal government of other countries.

2. To make peace with our American colonies by acknowledging their independence, and to satisfy the people of Ireland by conceding their demand of political equality.

3. To promote religious liberty, and to remove the political disabilities affecting Protestant dissenters and the Roman Catholics.

4. To favour parliamentary reform and the liberty of the press.

Had these principles prevailed from 1770 to 1820, the country would have avoided the American War and the first French Revolutionary War, the rebellion in Ireland in 1798, and the creation of three or four hundred millions of National Debt.

Such were the principles which Fox and those whom Burke afterwards called the 'New Whigs' professed. They had been powerful in argument, but weak in numbers. Both the American and the French wars had the support of the great majority of the country. Sir George Savile

and Sir Gilbert Elliot are witnesses to this preponderance of warlike opinion during the American war; Mr. Fox himself and his few adherents during the French war.

Among these adherents were my uncle, Francis, Duke of Bedford, and my father, who succeeded him.

On a visit which I paid to Sir James Mackintosh, at his country house, he said to me, with some significance,

> Ecquid in antiquam virtutem, animosque viriles,
> Et pater Æneas et avunculus excitat Hector?

He urged me especially to undertake the question of reform of Parliament.[1]

Thus animated, I brought forward the whole question in 1822.

My friend Mr. Lambton had a little while before made a motion in favour of reform. But his plan of electoral districts was not generally approved, and a premature division put an early stop to the debate.

That carelessness and forgetfulness which are so common about events a little preceding our own time, are well illustrated by a passage in the 'Quarterly Review' of January, 1869, which I proceed to copy:—'Anything on the scale of Mr. Pitt's Reform Bill of '86, or Mr. Grey's of '95, never entered into the heads of statesmen as a practical object to be attained from the beginning of the nineteenth century to the death of Canning. The extreme Radical party, led by Sir Francis Burdett, did, in 1819, move for something of the sort: but Lord John Russell opposed it as revolutionary, and substituted for it his own little popgun against Grampound. From that time to 1826 the Whigs never stirred in the matter.' The inaccuracy of this statement in a publication which professes to be the organ of the great Tory party is something marvellous. In the first place, Mr. Grey's Reform Bill was brought forward, not in

[1] See Appendix, Note A.

'95, but in '93 and '97. Admitting this to be a slip of the pen, or an error of the press, the assertion with regard to my exertions in the cause of reform is directly opposed to the fact.

In 1822, in a speech of three hours on the subject of reform, I suggested that 100 members should be added to the House of Commons, and that they should be chosen by the larger counties and the great commercial and manufacturing communities of the kingdom. So little did Mr. Canning consider my motion as a mere popgun, at which no one could be alarmed, that he gave me a solemn warning, in words which, thus challenged by the Quarterly Reviewer, I will not refrain from copying:—'Our lot is happily cast in the temperate zone of freedom, the clime best suited to the development of the moral qualities of the human race, to the cultivation of their faculties, and to the security as well as the improvement of their virtues; a clime not exempt indeed from variations of the elements, but variations which purify while they agitate the atmosphere that we breathe. Let us be sensible of the advantages which it is our happiness to enjoy. Let us guard with pious gratitude the flame of genuine liberty, that fire from heaven of which our Constitution is the holy repository; and let us not, for the chance of rendering it more intense and more radiant, impair its purity or hazard its extinction! The noble lord is entitled to the acknowledgments of the House, for the candid, able, and ingenuous manner in which he has brought forward his motion.' If, in the remarks which I have made upon it, there has been anything which has borne the appearance of disrespect to him, I hope he will acquit me of having so intended it. That the noble lord will carry his motion this evening, I have no fear; but with the talents which he has shown himself to possess, and with (I sincerely hope) a long and brilliant career of parliamentary distinction before him,

he will, no doubt, renew his efforts hereafter. Although I presume not to give any weight to observations or warnings of mine, yet on this, probably the last, opportunity I shall have of raising my voice on the question of parliamentary reform, while I conjure the House to pause before it consents to adopt the proposition of the noble lord, I cannot help conjuring the noble lord himself to pause before he again presses it upon the country. If, however, he shall persevere—and if his perseverance shall be successful—and if the result of that success shall be such as I cannot help apprehending—his be the triumph to have precipitated those results—be mine the consolation that to the utmost, and the latest of my power, I have opposed them. (Loud cheers.)'

Mr. Canning's speech was eloquent and successful. But his peroration showed that he did not expect that the representation, as then existing, would very long endure. And my friends were encouraged not only by the large number who supported me, but by remarking that among those who appeared in the division, and who had never voted for reform before, were three members, each said to be worth a million. In the days when it was said that Reform threatened property, such substantial support was worth a great deal.

The melancholy death of Lord Londonderry (Lord Castlereagh) produced a change, at first gradual, but afterwards abrupt, in the state of public affairs. Lord Liverpool considered Mr. Canning as the only fit successor, and being supported by the Duke of Wellington, did not fail to obtain the reluctant consent of the King. The transfer of power from a man of business, endowed with common sense and discretion, but bound by traditional Toryism, to a man of genius, a brilliant orator, and a no less shining wit, was in itself a novelty. But the change was far greater from one who professed an adhe-

rence to principles of non-intervention without disturbing the supremacy of the Holy Alliance, and who spoke coldly in favour of Catholic relief, to one whose impulses were strongly in favour of freedom abroad, and religious liberty at home. The expedition to Portugal, and the speeches which heralded its departure from our shores, gave an assurance to the Continent that the arm of England was yet powerful. The eloquent speeches of Canning in favour of granting the petitions of the Roman Catholics, and the speeches of Huskisson and Canning in favour of free trade, created a new feeling in the country. Neither the expedition to Portugal nor the measures of Mr. Huskisson in regard to silk were of themselves very important. But every Liberal felt that

> Night's candles are burnt out, and jocund Day
> Stands tiptoe on the misty mountain tops.

Lord Holland, observing the cooling zeal of the Tory party on behalf of the Government, said that their feeling was like that of Nisus:—

> Absistamus, ait, nam lux inimica propinquat.

The first step of Mr. Canning in regard to the French invasion of Spain was not, and could not, be successful, but, in my opinion, was not open to censure. I could not, therefore, concur in the motion made against it, and I absented myself from the House of Commons on that occasion.

The substitution of Mr. Peel for Lord Sidmouth gave the country a criminal law reformer and a friend of free trade, in place of a Minister who was the incarnation of prejudice and intolerance. Upon one great subject, however, no advance was made. In 1825 a last attempt was made in Parliament to settle the Roman Catholic question on the basis originally laid down by Pitt. In 1805, on a motion made by Fox, Pitt said:—'My

idea was not to apply tests to the religious tenets of the Catholics, but tests applicable to what was the source and foundation of the evil; to render the priests, instead of making them the instruments of poisoning the minds of the people, dependent in some sort upon the Government, and thus links, as it were, between the Government and the people.' [1]

In 1825 it was proposed by Lord Francis Egerton, 'That it is expedient that a provision should be made by law towards the maintenance of the secular Roman Catholic clergy, exercising religious functions in Ireland.' [2] The motion was carried by 205 to 162. It was proposed at the same time that the 40*s.* freeholders should be disfranchised. These two measures were called the wings. They would have settled the Catholic question without the evil and the reproach of yielding to intimidation; without uprooting the Protestant Church Establishment; civil, political, and ecclesiastical equality would have been attained; peace with Ireland would have been permanently concluded. The Roman Catholic clergy, who would have rejected a pecuniary provision taken alone, would hardly have refused it as part of a settlement by which the Roman Catholic laity would have been admitted to Parliament and political office.

Lord Liverpool, a man of honest but narrow views, would not allow this civil crown to be placed on his brow. He told Lord Harrowby, that he would not agree to the words 'by law' in the resolution respecting the provision to be made for the Roman Catholic clergy. He said to Mr. Arbuthnot, 'Even if I were to give way, Peel would not.'

Thus, from weakness, from the want of a directing mind in the Ministry, from the jealousy of Canning enter-

[1] Pitt's *Speeches*, vol. iii. p. 424. [2] Hansard, vol. xiii. new series, p. 313.

tained by the Tories, and from some personal feelings on the part both of Government and Opposition, this promising scheme fell through; a great man was wanting in the Cabinet, and a great opportunity was neglected by Parliament.

In 1827, Lord Liverpool was disabled by a fit, which removed him from office, and which was soon followed by death. Thus ended a Ministry of fifteen years, marked by great events, but not by the predominance of any great statesman.

But Liverpool's disappearance from the political scene gave rise to a great *débacle*. The fragments of the old system rushed against each other, and for a time all was confusion.

The question who was to succeed Lord Liverpool in the King's Council gave rise to much conversation in ministerial circles, and to some, if not much, intrigue in the cottage where George IV. resided during the rebuilding of Windsor Castle. What passed in Parliament, and among the members of the Liberal party in Parliament, was sufficiently interesting and exciting.

Mr. Canning was pointed out to be First Minister by the usual order of succession; by thirty years' experience of political life, begun under the immediate guidance of Mr. Pitt; by his eloquence and his genius; by his Liberal sympathies, and his Conservative tendencies; by his position as the official representative of the Government in the House of Commons.

Objections both political and personal were raised against his appointment. The intolerant party, who had enjoyed the greater share of patronage, and especially of ecclesiastical patronage, under Lord Liverpool, would not consent to the transfer of the bishoprics and deaneries to men who might be favourable to the grant of equal rights and privileges to Roman Catholics. This

change was especially distasteful to Mr. Peel, the Home Secretary.

But there were likewise objections of a personal nature. The quarrel with Lord Castlereagh had left disagreeable impressions. The frankness with which Canning had urged the reasons for free trade, and had told men who objected to improvement, because it was innovation, that if they persisted they might have to submit to innovations which were no improvement, had offended and alarmed the real Tories, as much as it had attracted and conciliated the real Whigs.

The apparent objections to Canning were of little weight. If the Roman Catholic question was to be treated as an open question in the Cabinet, it was obviously unfair to deny to a pro-Catholic leader that supremacy which had been long and quietly yielded to an anti-Catholic Prime Minister. The quarrel with Lord Castlereagh was owing rather to the weakness of the Duke of Portland and Lord Camden than to any fault of Canning. It was no wonder, therefore, that Canning felt deeply the wound inflicted upon him, when (upon his election to the post of Prime Minister) six of his colleagues sent in their resignations. In a debate upon this subject, in the House of Commons, he said:—'My position is not that of gratified ambition.' But he went on to say that he could not be a consenting party to his 'helotism.' This was, in fact, the question to be decided. Canning, with all his powers of debate, his experience in public affairs, his conduct of foreign affairs, which had raised England in the scale of nations, was to be reduced to execute the orders of some man evidently his inferior!

He justly resented these resignations as a proof of want of confidence from his Tory colleagues, but he also, from his excitable nature, felt them as personal attacks; and when, like Burke, he saw Blanche, Tray, and Sweet-

heart all barking at him; the clerks and underlings of Lord Liverpool's Ministry assailing him from every quarter, his spirit rose to meet the open attack, but his heart sank under the secret hostility by which it was prompted.

With the alteration of one word, I may apply to him Dryden's lines on Shaftesbury—

> A fiery soul, which, working out its way,
> Fretted the fragile body to decay,
> And o'er informed the tenement of clay.

In the conduct of affairs he had not preserved the calm and cold demeanour of Castlereagh. When Brougham attacked him for his tergiversation, he rose with passion to repel the imputation. When an anonymous pamphleteer threatened him with death,[1] he was so imprudent as to send a personal challenge to the antagonist whose mask was worn for the very purpose of evading responsibility. Thus easily exasperated, thwarted in his foreign policy by the King and half his colleagues, holding a position on the Catholic question which kept Ireland in perpetual ferment, distrusted by many of his party, and prevented by his opinions on reform from cordially uniting with the Whigs, it is no wonder that his temper and health gave way. I remember painfully the impression made upon me by a single word, uttered by him in answer to a question evidently intended to vex and embarrass him. The resignation of all the anti-Catholic members of the Government placed at Mr. Canning's disposal the office of Judge-Advocate. There was some delay in naming a successor. The question was asked whether the office had been filled up. The answer was the monosyllable 'Yes,' but pronounced in such a tone of mingled scorn, anger, and grief, that it seemed as if the heart of him who uttered it were breaking with vexation and disappoint-

[1] Trecenti conjuravimus principes juventutis Romanæ, ut te in hac viâ grassaremur.—Livii *Hist.* ii. 12.

ment. I remember nothing like it but Kean's answer to Iago, 'You are moved,' when he replied, 'Not a jot,' in a voice of the deepest anxiety and emotion.

Lord Lansdowne and Mr. Tierney joined the Cabinet of Mr. Canning. Mr. Tierney stipulated that he should be free to vote in favour of parliamentary reform. Mr. Abercromby, Mr. Stanley (the late Lord Derby), and Mr. Macdonald accepted office.

The new pieces were not very well dovetailed into the remains of the Tory Ministry, but the importance of the change thus indicated was enormous. The Tory party, which had survived the disasters and the follies of the American war, which had borne the defeats and achieved the final glories of the French war, was broken by its separation from Mr. Canning into fragments, which could not easily be reunited.

It is singular to observe how this well-disciplined Tory party was ready to break forth into mutiny when any one of its favourite errors or rooted prejudices was abandoned. Neither the eloquence, nor the financial talents, nor the experience of Pitt, prevented his being left with only fifty followers, when the King refused to conciliate Ireland, and to repair injustice. Neither the brilliant genius nor thirty years of experience saved Canning from desertion, obloquy, and hatred. The great services and patriotic disinterestedness of the Duke of Wellington availed him little when he preferred the pacification of Ireland to civil war. The eminent qualities of Peel did not protect him from invective and vituperation on the part of his followers, when he proposed to free from taxation the daily food of the labourer.

The period from 1820 to 1827 was the most brilliant period for oratory in the House of Commons within my recollection. The graceful, finished, well-prepared speeches of Canning, sparkling with classical quotation, happy illus-

tration and refined wit, were delightful to all who heard him. Sometimes, indeed, the *purpurei panni* did not well combine with the plain broadcloth of a business argument, but, on the whole, the effect was entrancing and attractive to all the young members, who cared rather to support a cause well defended than to examine the solidity of the defences themselves. Mr. Ward, himself an orator of no mean rank, said once to me, 'I like what is polished and perfect—I admire Virgil, Racine, and Pitt.' To such men the eloquence of Canning was irresistible. Those who above all admired what was sublime, but not faultless, and who preferred to finished poetry and elaborate oratory Homer, Dante, Shakspeare, and Fox were, however, not ready to yield altogether to the seduction of a statesman who fought for Roman Catholic relief and the reduction of protective duties, while he contended for restrictions on political freedom, and utterly opposed parliamentary reform.

On one of the occasions, when Canning was concluding a speech in favour of coercion he deprecated the forthcoming reply of Brougham by the quotation—

> Stetimus tela aspera contra,
> Contulimusque manus; experto credite, quantus
> In clypeum assurgat, quo turbine torqueat hastam.

Brougham well earned a great reputation. With prodigious force of argument he struck down any common adversary, pouring upon his head fiery sarcasm, and unsparing, overwhelming refutation, leaving him an object of ridicule or of pity, crushed beneath the weight of accumulated epithets and a burning mass of invective.

The third whom I have to mention, Plunket, was, in the opinion of the best judges, the most perfect orator of that time. Plunket so restrained his brilliant fancy, that it was ever ready to help, to adorn, to illustrate, but was never used to eclipse or encumber his argument. He usually confined his speeches to the subject of Roman

Catholic disabilities, but his defence of his own conduct, in answer to Mr. Brownlow, was a great triumph of oratorical art; and his answer to Brougham on the proposal to make a provision for the Roman Catholic clergy, was a memorable display of wit and wisdom.

On the Catholic question, while Copley and Peel made the most of a bad cause, the union of Plunket, Brougham, and Canning, in defence of justice to Ireland, produced three speeches in different styles, unequalled in power to convince, combining the eloquence of great orators with the counsels of wise statesmen.

This brilliant period was about to terminate. Canning died in 1827 at Chiswick, where Fox had died in 1806. Plunket accepted a seat in the House of Lords; Brougham remained only three years longer in the House of Commons. But the fire which these three men had kindled blazed on for many years after their disappearance. After a short period of official rule, Lord Goderich, First Lord of the Treasury, who had taken no means to strengthen his Government, resigned, and the King sent for the Duke of Wellington, who retained the Canning portion of the Cabinet, and got rid of the Whig members of the Ministry. Mr. Tierney said he had been killed in a chance medley.

Mr. Peel was the new leader of the House of Commons.

In 1828, at the request of the body of Protestant dissenters, I brought forward a motion for the repeal of the Corporation and Test Acts, and to my great surprise carried it by a majority of forty.

Peel, finding himself defeated, after a vain attempt to avoid a total repeal, proposed a useless and feeble declaration, which the Bishops accepted in the House of Lords, after adding a mischievous bar against the admission of the Jews, in the words 'on the true faith of a Christian.' The whole of this declaration was repealed

in 1868; it had kept out nobody, and its removal will admit nobody.

Huskisson and the friends of Canning voted against the repeal of the Corporation and Test Acts.

The successive steps which brought on the Roman Catholic Relief Bill are to be found in Sir Robert Peel's Memorandum upon this subject. It has always seemed to me, that however pure his motives, and however clear his integrity, he would have done better, both for himself and his country, if he had resigned office, and given his support, either to the Duke of Wellington with another leader in the Commons, or to Lord Grey and the Whig party, in the settlement of a question which, since the peace, had been the apparent cause of their proscription.

The only reason alleged in the Memorandum alluded to, is the King's personal dislike of Lord Grey. But this dislike was not so strong as that which his father entertained for Mr. Fox. Fox had, notwithstanding this dislike, when an emergency arose, been admitted to the councils of the King, and when he died, George III. said to his daughter, the Duchess of Gloucester, 'I did not think I should ever have regretted the death of Mr. Fox, as I find I do.'[1] But George III.'s religious scruples, and even his personal prejudices, were respected by the nation, and formed real barriers so long as he did not himself waive them; the religious scruples of George IV. did not meet with ready belief, nor did his personal dislikes inspire national respect or obtain national acquiescence.

However, as Mr. Peel had thought it his duty to remain in office, the Whig party determined to give him a cordial support. I was present at a small meeting of the leaders of the party, at Sir Francis Burdett's, when Lord Althorp was authorised to communicate to Peel our objections

[1] From the Duchess of Gloucester.

to part of the ministerial measures. But when Lord Althorp reported to us the answer of Peel, that the Ministers could not go further than they had done, we all acquiesced, and waived every objection, in order to give a thorough support to the Government which had undertaken this mighty task.

One of the shrewdest of the Tory party, who afterwards held a Cabinet office, is reported to have observed that he should not have felt so much objection to Catholic emancipation, had he not felt sure that it would be followed by reform of Parliament.

He was not mistaken. The Catholic question having been moved out of the way, attention was more eagerly directed to the faults of the existing state of the representation of the people.

Standing one day at the bar of the House of Commons, in the year 1830, I showed Mr. Huskisson some resolutions on parliamentary reform which I intended to move. Huskisson said: 'I cannot vote for these resolutions, but something to this effect will be carried before long.'

The events which immediately preceded the General Election of 1830 had prepared the way for the fall of that Tory supremacy which had for sixty years, with little interruption, ruled England; had carried on the American war, and the French revolutionary war, and had placed the country in a position of immense power, enormous debt, and great internal difficulty.

The sudden change of the Duke of Wellington and Sir Robert Peel on the policy to be pursued towards Ireland, had struck men with astonishment and inspired them with distrust. That the same man who in 182- had declared, with six of his colleagues, that not only could he not consent to admit the Catholics to Parliament and to high office, but that he could not even submit to serve as Secretary of State under a Prime Minister who was

favourable to their claims, should two years afterwards have come forward, and in a speech of great length and ability, have recommended concession on all those points, without conditions and without security, produced a very natural and very general distrust. 'If,' they said, 'Mr. Peel, while he was opposing Mr. Canning in 1827, knew that concession must be the end of his policy, what becomes of his honesty? If such was to be the inevitable termination, why should he not rather, even out of office, have assisted Mr. Canning, who, by his genius, by his eloquence, and by his great reputation, was entitled to that assistance, rather than have proclaimed a continued and determined resistance to claims which he then declared to be inconsistent with our political Constitution and our religious Establishment? But if in 1827 Mr. Peel hoped to resist successfully all further concessions to Roman Catholics, and in 1829 perceived that it required only a continuance of the balanced state of the House of Commons, and the agitation of a skilful demagogue in Ireland, to make the defence of all those buttresses which he had so long and so pertinaciously defended, hopeless, where was his wisdom?' In fact, the whole frame of our representation, the whole machinery of government by which Lord North, Mr. Pitt, and Lord Liverpool had ruled, seemed to be tumbling into ruins after this great political earthquake.

Few men saw justly and clearly the consequences of the course pursued by the Duke of Wellington. The Revolution in France, overthrowing Legitimacy, and crowning a monarchy founded upon popular resistance; the excitement of a General Election, and the accession of a new Sovereign; the internal state of the country, resulting from long mismanagement; all contributed to bring about, on the one side a desire of change, and on the other, discouragement and despondency.

When, therefore, at the meeting of Parliament, November the third, the Duke of Wellington declared that the constitution of the House of Commons was perfect, and that the wit of man could not *à priori* have devised anything so good, the general feeling was one of dismay. The House of Lords, usually so calm, showed signs of amazement and perturbation. The Duke whispered to one of his colleagues, 'What can I have said which seems to make so great a disturbance?' 'You have announced the fall of your Government, that is all,' replied his more clearsighted colleague.

Accordingly, when Sir Henry Parnell, in the House of Commons, moved an amendment respecting the appointment of a Committee on the Civil List, which Mr. Tierney had frequently brought forward unsuccessfully, it was carried by a majority of upwards of 30. Although, in ordinary times, this victory of the Opposition would have been of little consequence, it was now thought so serious, that Mr. Peel went at once to the Duke of Wellington at Apsley House, to declare he could no longer remain in office; the following day the whole Ministry resigned. Lord Grey was sent for by the King, and desired by His Majesty to form an administration.

At this period the situation of affairs at home was very critical. The fifteen years which had elapsed since the peace had not been employed to good purpose; the currency, indeed, had been restored to its old value, and the guinea no longer represented more than the twenty-one shillings which it professed to be worth; but, generally speaking, old abuses which had been left uncorrected during the pressure of war had been still uncorrected during the leisure of peace, and the new abuses which had arisen in times of scarcity, and at periods of emergency, had been allowed to grow up in rank luxuriance, till they overspread the land. Among these abuses, there

was none more contrary to sound principle, none more destructive to the peace and prosperity of the country, than the perversion of the Poor Law of Elizabeth. During the years of scarcity which had afflicted the country at the end of the last and the beginning of the present century, the poor had suffered grievously from the great rise in the price of provisions, unaccompanied by a similar rise in the rate of wages. It occurred to some not very wise country gentlemen, that the labourers might be enabled to maintain themselves and their families, without putting their employers to the expense which a general rise in the rate of wages would involve. They accordingly framed a scale: so much to an unmarried labourer; so much to a married labourer with one child; so much to a married labourer with two children; and so on, till the allowance given to a labourer with ten or twelve children, was equivalent to a very high rate of wages. In the course of years, this foolish scheme produced the evils that might have been expected. The individual labourer was no longer paid according to the value of his strength and skill as a labourer, but according to the number of his family, without reference to the work he might perform. The population of a parish increased, not in proportion to the demand for labour, but in proportion to the readiness of the farm labourers to take advantage of the perverted law to marry, and live on the public as parish pensioners. The mischiefs produced by this system in the agricultural counties were extensive and appalling. In Buckinghamshire whole parishes were pauperised, and farmers abandoned tillage rather than attempt to pay a rate of nineteen or twenty shillings in the pound. A farmer in Huntingdonshire, giving evidence before a Committee of the House of Commons, over which I presided, stated that the young labourers said to the members of the vestry, 'We will marry and you must maintain us.' In Bedfordshire,

a state of society existed, which is portrayed with much fidelity in a petition presented to the House of Commons in 1830. In the agricultural parishes, gangs of forty or fifty labourers out of employment, were sent nominally to repair the roads, but in fact loitered all day by the side of their wheelbarrows, and passed the night in poaching, and in spending the fruits of their plunder in the public-houses, in drunkenness. In the parish of Woburn, where there were forty of these ablebodied labourers unemployed, I asked a farmer why he did not give wages to two or three of them in return for work upon his farm. He answered, 'They would do me no good; they would be more likely to steal what I have than to do any work on the farm.' In the western counties, large bodies of these idle young men went about destroying thrashing machines, and setting fire to ricks of hay and stacks of corn. At night, the whole atmosphere was lighted up by fires, the work of lawless depredators. The yeomanry were called out, and captured many offenders, but still the evil went on. Farmers were alarmed for their property, members of the parish vestries were afraid to refuse the demands of sturdy beggars, and the whole frame of society seemed about to yield to force and anarchy. Sir Robert Peel, the Home secretary of state, confessed that he had no remedy to propose for this diseased state of affairs.

The state of the metropolis was not better than that of the rural districts. The King was advised not to make that visit to the city, which is customary upon the accession of a sovereign, lest his presence should excite tumult and disorder. A tradesman in Westminster, being asked why he had provided himself with a musket, answered, 'In the first place to get Reform of Parliament, and in the next place to defend my house against a mob.' A certain vague desire, and a fear equally undefined,

seemed to possess all classes of men. The events of the three glorious days of Paris had filled the mind of England with a notion that the public good was to be sought by revolution, by barricades in the streets, and by force employed to obtain popular measures. But of what nature, to what extent to be carried, or what were the precise benefits to be attained by these measures no one well knew. It was therefore the task of the new Government to frame measures large enough to satisfy expectation, and at the same time to maintain the dignity of the monarchy and the authority of Parliament.

The state of affairs abroad was at the same time disquieting. The weak and unnatural connection which the treaties of 1815 had formed between Holland and Belgium had, after many years of jealousy and discontent, ended in a general insurrection of the Belgian people. A proclamation beginning 'To arms, to arms,' had been signed by men of the first rank and ability as leaders of the insurgent party. It was to be feared that the French appetite for annexation, which had been indulged by the Jacobin Republic of 1792, might revive under the excitement of a recent revolution, and the sympathies of the popular party. The great Powers had already communicated to each other their anxieties upon this subject, and a conference under the auspices of Lord Aberdeen had been assembled in London.

It was in this state of affairs that Lord Grey was called to the Councils of his Sovereign, and, happily, his abilities and his experience were found equal to the emergency.

Lord Grey determined to construct his administration upon a broad and comprehensive basis. He invited Lord Goderich, Lord Palmerston, and Mr. Charles Grant, who had been members of Mr. Canning's Ministry, to accept offices in the Cabinet. He placed Lord Palmerston at the head of the Foreign Department, and confided the Home Office to Lord Melbourne, who, having belonged from his

early youth to the Whig party, had accepted the office of Chief Secretary in Ireland when Mr. Canning was Prime Minister. It is even supposed that Lord Grey would have consented to leave the Great Seal in the hands of Lord Lyndhurst. The chiefs of the Whig party, however, were not willing to see this high office in the hands of any other person than Mr. Brougham, whose splendid eloquence and extraordinary talents had won for him the applause of the country and the admiration of his party. Lord Althorp, therefore, on the part of Lord Grey, offered him the Great Seal, and, after a long discussion, succeeded in persuading Mr. Brougham that he might render greater services to his country and to his party by accepting this very eminent post than by remaining in an independent position in the House of Commons.[1] Lord Althorp himself accepted the post of Chancellor of the Exchequer with the lead of the House of Commons. He was very unwilling to take office, but Lord Grey assured him that he could not make his Ministry without him, and it was some consolation to him to reflect, in accepting the office of Chancellor of the Exchequer, that he could only hold it as a member of the House of Commons. Mr. Stanley was made Chief Secretary to the Lord-Lieutenant of Ireland, an office for which he was qualified by his great abilities and his unequalled powers of debate; but his declarations in favour of the Established Church of Ireland, and his temper, little tolerant of opposition, gave warning of storms.

The Ministry being thus constituted, the first and most important object to which their attention was turned was the great question of Parliamentary Reform. Lord Durham, by Lord Grey's desire, invited me to consult

[1] Brougham had at this time made up his mind that no office but that of Lord Chancellor could properly be offered to him, but he did not till the last moment make up his mind to leave the House of Commons, and give up his seat for Yorkshire. His mother always regretted his decision.

with him on the formation of a committee for the purpose of framing a plan; Lord Durham proposed that the Duke of Richmond should be a member of the committee, but, as the Duke had never been a reformer, I objected to this proposal, and we agreed to invite Sir James Graham and Lord Duncannon to form with us a committee for the proposed purpose. Lord Durham and Sir James Graham were in the Cabinet; Lord Duncannon and I were not. Lord Althorp was not a member of the committee. An outline of a plan of reform, to which I have elsewhere referred, was laid by me before that committee, and, with some alterations, adopted by them. On the proposition of Lord Durham, vote by ballot was added to the outline, and the whole scheme was submitted to Lord Grey.

The Cabinet of Lord Grey contained very few members who had supported proposals for reform of Parliament. Lord Grey himself, and Lord Durham, had brought forward motions on the subject. Lord Brougham and Lord Althorp had warmly supported the principle of reform, without favouring any particular plan. Lord Durham had proposed to introduce a bill dividing the country into equal electoral districts; and Lord Brougham had, if I recollect aright, opened to a meeting of members of the House of Commons in Lord Althorp's room at the Albany, a scheme for taking away one member from a certain number of the smaller boroughs.[1] Lord Palmerston and Mr. Grant had, with Lord Melbourne, followed Mr. Canning in his opposition to Parliamentary Reform. Lord Lansdowne and Lord Holland had never been very eager on the subject; but the circumstances of the country required decisive measures, and Lord Grey was persuaded that nothing but a large reform of Parliament would ward

[1] I see, on referring to Lord Brougham's Speeches, vol. iv., that he says he was in favour of the disfranchisement of some boroughs, though not to the extent proposed in the Bill of 1831.

off revolution. In this opinion the Cabinet participated, and adopted our plan, but without the ballot.

I was so fully persuaded that the country would respond with enthusiasm and ready assent to a large proposal of reform, that I entreated Lord Grey to impress upon his colleagues the necessity of secresy, in order that the plan might come with all the freshness of novelty upon the public ear, and deprive our opponents of the advantage of making adequate preparations to resist the first assault upon the well-fortified entrenchments of the enemy. So little were the opposite party prepared for the bill, that a few days before the first of March, Sir Robert Peel, in a careful speech, derided what had been done on the subjects of peace and retrenchment, and predicted that when the plan of reform should be developed, it would occasion disappointment by the meagreness of its proportions, and the trifling nature of the changes recommended.

The effect, therefore, of the revelations of the first of March were astounding. I had purposely omitted, or passed slightly over, those arguments in favour of reform, which in 1822 I had developed at length. Sir Robert Peel observed sarcastically that I had said that many ingenious arguments were urged in favour of the ballot, but that I had not stated any ingenious arguments in favour of my proposition of that night. This was substantially true. It seemed to me that the arguments in favour of reform had made their impression—a very deep impression—upon the country; but that those arguments had become trite and familiar, and that the great novelty of my speech must consist in a clear and intelligible statement of the nature of the proposition I had to make. The extinction of 150 seats in the House of Commons, all taken from the class of boroughs which were either dependent or venal, would amount, if carried, to a revolution.

It was no wonder, therefore, that this proposition, when

placed boldly and baldly before the House of Commons, created feelings of astonishment, mingled with joy or with consternation, according to the temper of the hearers. Mr. John Smith, himself a member for a nomination borough, said the proposal took away his breath. Some, perhaps many, thought that the measure was a prelude to civil war, which, in point of fact, it averted. But incredulity was the prevailing feeling, both among the moderate Whigs and the great mass of the Tories. Sir Henry Harding told Sir James Graham that he supposed we should all go out the next morning. Many of the Whigs thought it impossible the Government could succeed, either in the existing House of Commons, or by an appeal to the people.

The Radicals alone were delighted and triumphant. Mr. Joseph Hume, when I met him in the streets a day or two afterwards, assured me of his hearty support to the Government. He said, on another subject, in a public speech, that he was ready to vote black white in order to carry the measure of reform. Lord Durham, who was sitting under the gallery on the first of March, told me he was inclined to doubt the reality of what was passing before his eyes. A noble lord who sat opposite to me, and who has long ago succeeded to a seat in the House of Lords, cheered me so vociferously that I was myself inclined to doubt his meaning. I found afterwards that his cheers were meant derisively, to show his thorough conviction of the absurdity and impracticability of my proposals.[1]

For my own part, my impression had always been that if the Reform Bill of Lord Grey could go down to the country, it would receive such an amount of support as would ensure its ultimate, if not its immediate, success.

[1] I had thought it due to the Cabinet to conceal in my speech the part which I had taken in preparing the measure. In this concealment I was not justified; I ought to have told the whole truth.

I was, therefore, much pleased when I found that the leaders of the Opposition did not intend to dispute the introduction of the bill, and still more satisfied when, by nine nights of debate, time was given to the country to hold public meetings, and to communicate to their members the popular, and, what turned out to be the almost universal, opinion in favour of the proposed measure.

The second reading was fixed for an early day, and both parties prepared anxiously for the coming conflict.

Before the day arrived, many members who had never voted for reform on previous occasions, and who were really hostile to any change in the representation, received such accounts of the ferment existing in the country that they made up their minds to vote in favour of the second reading. Among these may be reckoned Sir Thomas Acland and Mr. Wilson Patten, the one member for Devonshire, and the other for Lancashire, both excellent country gentlemen. The second reading was carried, after a long debate, by a majority of one. I never saw so much exultation expressed in the House of Commons as upon that occasion. One member at least threw his hat up in the air, and the vociferous cheering was prolonged for some minutes.

Yet this majority, trifling as it was, was far from expressing the intention of those who composed it, to give a cordial and thorough support to the bill in the shape in which it was introduced. Many amendments destructive of its chief provisions would have been introduced and carried, had the bill been proceeded with in that House of Commons.

The cry, which owed its origin to Lord Brougham, of 'the Bill, the whole Bill, and nothing but the Bill,' was intended to meet this disposition, and gave the Government a very powerful lever in raising the country to the height of their lofty proposals, while it did not prevent them from

modifying some clauses which were ill-considered or unpopular.

The indisposition of the House was soon manifested. Upon a resolution moved by General Gascoigne, that the number of members for England and Wales should not be diminished, this latent hostility burst out. Mr. William Holmes, in the course of the debate said, privately, to a friend of the Government, 'For good or for ill, there is a majority of eight in the House in favour of this motion.' So it appeared on the division, a majority of eight voting in favour of General Gascoigne's motion.

Upon this event, it became the duty of Lord Grey and his colleagues, to consider seriously their position. They had brought forward a great measure affecting the constitution of the country, and the course of legislation for generations to come. They could neither tamely abandon their situation, nor allow their measure to be frittered away, and rest contented with the fragment of a plan, the whole of which had been enthusiastically accepted by the country. It was manifest that the existing House of Commons would endeavour to destroy in detail that which they had sanctioned in the bulk. It was evident that the country was ready to follow Lord Grey, and to adopt his measure as a satisfactory settlement of a question which, since 1780, had always been in the minds of Liberal politicians, and which was now rooted in the heart of the people.

Lord Grey, therefore, prepared the King for the decision to which the Cabinet arrived, to advise his Majesty to have recourse to an immediate dissolution of Parliament. The King, though averse to such a proceeding, little more than six months after the general election, was disposed, at this time, to trust implicitly to Lord Grey, and I am inclined to believe the popular story, that when it appeared necessary, in order to prevent remonstrance from the

House of Lords, that the King should appear in person to dissolve the Parliament, and some trifling difficulty of plaiting the horses' manes was interposed as an objection, the King said at once, 'Then I'll go down to Parliament in a hackney coach.' Had such been the spirit of Louis XVI. he might have been the leader instead of the victim of the French Revolution.

The scenes which occurred in the two Houses of Parliament, so far as I was a witness of them, were singular and unprecedented. Before the King arrived, the House of Commons was assembled, and Sir Robert Peel and Sir Francis Burdett rose at the same time to address the House. Lord Althorp, amid the confusion and clamour of contending parties, following the precedent of Mr. Fox, moved that Sir Francis Burdett be now heard. Sir Robert Peel, on the other hand, imitating a precedent of Lord North, said, 'and I rise to speak to that motion.' But instead of saying a few words, as Lord North had done, to put an end to all further debate, Sir Robert Peel quite lost his temper, and in tones of the most violent indignation attacked the impending dissolution. As he went on, the Tower guns began to fire, to announce the King's arrival, and as each discharge was heard, a loud cheer from the Government side interrupted Sir Robert Peel's declamation. Sir Henry Harding was heard to exclaim, 'The next time those guns are fired they will be shotted!' Presently we were all summoned to the House of Lords, where the King's presence had put a stop to a violent and unseemly discussion. The King in his speech announced the dissolution, and retired to unrobe. The scene that followed was one of great excitement and confusion. As I was standing at the bar, Lord Lyndhurst came up to me and said, 'Have you considered the state of Ireland, do not you expect an insurrection?' or words to that effect. It so happened that in going into the

House of Commons, I had met Mr. O'Connell in the lobby. I asked him, 'Will Ireland be quiet during the general election?' and he answered me, 'Perfectly quiet.' He did not answer for more than he was able to perform. But of course I said nothing of this to Lord Lyndhurst, and left him to indulge his anger and disappointment.

Many good Liberals were in great despondency about the election, and fancied, as they well might, that an appeal to the condemned boroughs to sanction their own extinction, would meet with a very unfavourable reception, while Manchester, Birmingham, Leeds and Sheffield, and the principal manufacturing towns of Lancashire and Yorkshire, on the other hand, would be unable to take part in the election.

But the forty shilling freeholders, both in those towns and in the rural counties, made themselves heard in favour of Reform. Middlesex, Yorkshire, Lancashire, Devonshire, were unanimous in their choice of reform candidates.

The members for the English Counties, with the addition of two members for Yorkshire in place of Grampound, were altogether 82; of these upwards of 70, I think 76, were pledged to support Lord Grey and the Reform Bill. The proportion of the two parties appeared on the second reading, when there divided in favour of the bill 367, making, with 9 pairs and 2 tellers, 378; against it 231, with the same addition of pairs and tellers 242, giving a majority of 136 for the Government and the Reform Bill. This was a majority which no skilful manœuvres, nor even the authority of the time-honored House of Lords was likely to counteract or overbear, even when led by such men as the Duke of Wellington and Lord Lyndhurst.

The Parliament met on June 14, and after the election of a Speaker, and a debate on the address, the new Reform Bill was immediately introduced. The second reading, as I have said, was carried by a large majority, and the

opponents of the bill, no way dismayed, reserved their opposition for the committee. For forty nights the subject was discussed, in its principles as well as in its details. Sir Robert Peel, besides objecting to the large amount of disfranchisement, and the ten pound franchise, took special exception to the partial disfranchisement in Schedule B of the bill, and, after a very neat and well arranged speech of Mr. Praed, Sir Robert argued with his usual force and ability, that more room should be left for the entrance into Parliament of men of retired and studious habits. Subsequent legislation seems to indicate that, according to public opinion, too many seats, rather than too few, were left to men of retired and studious habits. But, besides these fair and plausible objections to the extent and democratic tendency of the Bill, skilful lawyers like Sir Edward Sugden and Sir Charles Wetherell, tried to pick out every thread, and leave no rag of the whole texture. That which Penelope did with a view to keep off her suitors, they attempted to do with a view to keep off reform. But, at the end of forty nights, on the seventh of September, the debate was closed, and after much labour, and a considerable sacrifice of health, I was able, on that night, to propose, amid much cheering, that the Bill should be reported to the House.

The Bill was then carried to the House of Lords, and on October 2, the second reading was proposed by Lord Grey. There never was a debate of greater importance, or one marked by greater ability. Lord Grey's opening speech recording that, in 1786, he had voted with Mr. Pitt in favour of reform of Parliament; his clear and able statement of the reasons which seemed to him to require that the Bill should be adopted by Parliament, and that in order to be safe and enduring, it should be large and commensurate with the evil to be abated, was powerful and convincing.

One of the greatest speeches ever delivered in the House of Lords, was spoken on this occasion by Lord Brougham; and among the most striking passages of that speech, was the reference to the events in Ireland, which preceded the grant of Catholic emancipation. I copy this remarkable passage:—'Those portentous appearances, the growth of later times, those figures that stalk abroad, of unknown stature and strange form—unions, and leagues, and musterings of men in myriads, and conspiracies against the Exchequer—whence do they spring, and how come they to haunt our shores? What power engendered those uncouth shapes—what multiplied the monstrous births, till they people the land? Trust me, the same power which called into frightful existence, and armed with resistless force the Irish volunteers of 1782—the same power which rent in twain your empire, and conjured up thirteen republics—the same power which created the Catholic Association, and gave it Ireland for a portion. What power is that? Justice denied—rights withheld—wrongs perpetrated—the force which common injuries lend to millions—the wickedness of using the sacred trust of Government as a means of indulging private caprice—the idiocy of treating Englishmen like the children of the South Sea Islands—the frenzy of believing, or making believe, that the adults of the nineteenth century, can be led like children or driven like barbarians. This it is that has conjured up the strange sights at which we now stand aghast. And shall we persist in the fatal error of combating the giant progeny, instead of extirpating the execrable parent? Good God! Will men never learn wisdom, even from their own experience? Will they never believe, till it be too late, that the surest way to prevent immoderate desires being formed, aye, and unjust demands enforced, is to grant, in due season, the moderate requests of justice? You stand, my Lords, on the brink of a great event—you are in the crisis

of a whole nation's hopes and fears. An awful importance hangs over your decision. Pause, ere you plunge! There may not be any retreat. It behoves you to shape your conduct by the mighty occasion. They tell you not to be afraid of personal consequences in discharging your duty. I, too, would ask you to banish all fears: but, above all, that most mischievous, most despicable fear—the fear of being thought afraid. If you won't take counsel from me, take example from the statesmanlike conduct of the noble Duke (Wellington), while you also look back, as you may with satisfaction, upon your own. He was told, and you were told, that the impatience of Ireland for equality of civil rights was partial, the clamour transient, likely to pass away with its temporary occasion, and that yielding to it would be conceding to intimidation. I recollect hearing this topic urged within this House, in July 1829; less regularly I heard it than I have now done, for I belonged not to your number—but I heard it urged in the self-same terms. The burthen of the cry was—"It is no time for concession: the people are turbulent and the association dangerous." That summer passed, and the ferment subsided not. Autumn came, but brought not the precious fruit of peace—on the contrary, all Ireland was convulsed with the unprecedented conflict which returned the great chief of the Catholics to sit in a Protestant Parliament. Winter bound the earth in chains; but it controlled not the popular fury, whose surges, more deafening than the tempests, lashed the frail bulwarks of law, founded upon injustice. Spring came, but no ethereal mildness was its harbinger, or followed in its train—the Catholics became stronger by every month's delay, displayed a deadlier resolution, and proclaimed their wrongs in a tone of louder defiance than before. And what course did you, at this moment of greatest excitement, and peril, and menace, deem it most fitting to pursue? Eight months before, you

had been told how unworthy it would be to yield when men clamoured and threatened. No change had happened in the interval, save that the clamours were become far more deafening, and the threats, beyond comparison, more overbearing. What, nevertheless, did your Lordships do? Your duty—for you despised the cuckoo-note of the season, "Be not intimidated." You granted all that the Irish demanded, and you saved your country. Was there in April a single argument advanced, that had not held good in July? None, absolutely none, except the new height to which the dangers of longer delay had risen, and the increased vehemence with which justice was demanded—and yet the appeal to your pride which had prevailed in July, was in vain made in April, and you wisely and patriotically granted what was asked, and ran the risk of being supposed to yield through fear. But the history of the Catholic claims conveys another important lesson. Though in right, and policy, and justice, the measure of relief could not be too ample, half as much as was received with little gratitude, when so lately wrung from you, would have been hailed twenty years before with delight; and even the July preceding, the measure would have been received as a boon, freely given, which, I fear, was taken but with sullen satisfaction in April, as a right long withheld. Yet, blessed be God, the debt of justice, though tardily, was at length paid, and the noble Duke won by it civic honours, which rival his warlike achievements in lasting brightness—than which there can be no higher praise. What, if he had still listened to the topics of intimidation and inconsistency, which had scared his predecessors? He might have proved his obstinacy, and Ireland would have been the sacrifice.'

Lord Grey concluded the debate, and closed his speech in the following remarkable manner:—

'The noble and learned lord has said, that if I were to

resign office, it would be a culpable abandonment of the King. It is my duty to consider what course I shall follow under the circumstances in which I may be placed. I certainly will not abandon the King as long as I can be of use to him. I am bound to the King by obligations of gratitude, greater, perhaps, than subject ever owed to a sovereign, for the kind manner in which he has extended to me his confidence and support, and for the indulgence with which he has accepted my humble but zealous exertions in his service. Therefore, so long as I can be a useful servant to him I trust that it never will be a reproach to me that I abandoned so gracious a master. But I can only serve him usefully, by maintaining the character which belongs to a consistent, conscientious, and disinterested course of public conduct; this character I should deservedly forfeit, if, by any consideration, I should desert principles which I believe to be just, or give up, for any consideration whatever, measures which I believe to be essential to the security, happiness and honour of my sovereign and of my country. If I could fall into such disgrace, I should be at once disqualified from rendering to his Majesty any useful service. As to abilities, I am too sensible of my own deficiency, which is not less in those other qualifications which long habits of office give. All that I can to pretend to is an honest zeal, an anxious desire to do my duty in the best way I can; as long as he is content to accept my services on those terms, no personal sacrifice, shall stand in the way of my performing the duty which I owe to a sovereign whose claims upon my gratitude and devotion can never be obliterated from my heart, whatever may happen, to the last moment of my existence. I had no desire for place, and it was not sought after by me; it was offered to me under such circumstances that nothing but a sense of duty could have induced me to accept it. To such as

have observed my public conduct, I think I need make no such professions, for I can appeal to the history of my whole life to prove that I have not been actuated by an unworthy desire for office. But I found myself placed in a situation in which, to shrink from the task imposed upon me by the too partial opinion of a benevolent master, would have been the dereliction of a great public duty. I have lived a long life of seclusion from office—I had no official habits—I possessed not the advantages which those official habits confer. I am fond of retirement and domestic life, and I lived happy and contented in the bosom of my family. I was surrounded by those to whom I am attached by the warmest ties of affection. What, then, but a sense of duty could have induced me to plunge into all the difficulties, not unforeseen, of my present situation? What else, in my declining age,

> What else could tempt me on those stormy seas,
> Bankrupt of life, yet prodigal of ease?[1]

I defy my worst enemy, if he has the most moderate share of candour, to find ground for charging me with any other motive. I have performed my duty as well as I am able. I shall still continue to do so, as long as I can hope to succeed in the accomplishment of an object which I believe to be safe, necessary, and indispensable; but should this hope fail me, and should the Parliament and the public withdraw the confidence with which I have been hitherto supported, as, in that case, I could no longer prove a useful servant to my King or to my country, I would instantly withdraw from office into the retirement of private life, with the consoling reflection that whatever my other defects may be, I had not been wanting,

[1] Dryden's lines are:—

> Punish a body which he could not please,
> Bankrupt of life, yet prodigal of ease.

Either Lord Grey altered the lines, or quoted only the last line, and the reporter supplied the first.

according to the best of my ability and judgment, in a faithful, conscientious, and zealous discharge of what I felt to be my duty.'

The House divided about six o'clock in the morning, at the end of five days and nights of debate. The 'not contents,' including proxies, were 199, the 'contents' 158, giving a majority against the second reading of 41. It became now a very serious question with Lord Grey, whether he should remain in office, or whether he should throw upon his opponents the entire responsibility of carrying on the government in the midst of an excitement of a very dangerous character. Lord Grey decided, rightly, as I think, that he would not desert his sovereign nor abandon his high post, while he had any hopes of being able to carry a great measure of reform. On the seventeenth of the same month (October), in explaining what he was alleged to have said to a deputation, he gave the following account of his position:—'He did state that some alterations in the late Bill would be necessary before it was re-introduced, and that it would be for his Majesty's Ministers, during the recess, carefully to consider what those alterations should be; but he distinctly added that he would never be a party to, or recommend any measure of reform which was not founded on any similar principles, and as effective, as regarded its declared object, as that which was lately before Parliament. This was the whole of what passed between him and the delegates from the parishes, except that when they represented to him that if satisfaction was not given to the public, as to the length of time on which Parliament was to be prorogued, it would tend to increase the agitation and excitement which prevailed; he felt himself called upon to inform those who communicated with him, that it was their duty to use all the means in their power to repress agitation and excite-

ment, and to keep the people in obedience to the laws of the country, that the Ministers might not be placed in the painful situation of being compelled to use those powers which, as a government, it was their duty to use, for the preservation of the public peace. With respect to the prorogation, he would only say, that whatever might be the length of the period to which his Majesty's Ministers thought it their duty to recommend his Majesty to prorogue Parliament, it would be regulated by a sincere desire to do that which they considered most conducive to the advancement of the great measure of parliamentary reform.'

The rejection of the Bill in the House of Lords made it necessary to review some of the most important provisions of the original Bill, with the view to preserve its principles, and maintain its efficiency, correcting at the same time some of the details which, from the ignorance and inexperience of its authors in matters of government and legislation, had proved to be defective. The first list of boroughs to be entirely or partially disfranchised, had been made out by consulting the tables of population for 1821. These tables contained the population of parishes, not of boroughs or towns; and the boundaries of parishes were sometimes widely different, either in excess or deficiency, from those of the boroughs which were to be the objects of penal extinction. Commissioners were appointed by the Secretary of State for the Home Department, to rectify these details, and they were instructed to ascertain the boundaries of the boroughs to which the right of sending members to Parliament had been granted. Further than this, a new test of importance was taken, borrowed very much from the tests of disenfranchisement applied in the Act of Union with Ireland, and announced by Pitt at the time. We took, therefore, the number of houses as a test of the exist-

ing population, and the amount of assessed taxes paid as the test of property in boroughs.

From these two elements combined, a list of the boroughs was formed, with a view to their relative importance. The compound ratio was calculated by Mr. Drummond, on scientific principles. The principle upon which Mr. Drummond framed his combination was approved by Mr. Davies Gilbert, a mathematician of eminence, who was at one time President of the Royal Society. Mr. Croker, who seemed to be ignorant of all mathematical science, alone doubted the accuracy of the rule adopted.

With regard to the boundaries of boroughs, of towns newly enfranchised, and of counties to be divided, the reports of commissioners were sent up to London, and were referred to Mr. Littleton, afterwards Lord Hatherton, a liberal but moderate politician, and to Admiral Beaufort, whose views were purely scientific. I sometimes assisted at their deliberations, especially when there was any discrepancy in the views of the different commissioners. But the whole process, whether of singling out small boroughs, and placing them in the list for disfranchisement, or of enlarging the boundaries of old boroughs, or of marking the limits of new boroughs and divisions of counties, was performed, so far as I am aware, with an entire absence of party bias.

Of course, the addition or subtraction of particular districts had an effect favourable to one party or the other; thus the Liberal party at Stamford, who had succeeded in returning Mr. Tennyson D'Eyncourt, in opposition to the influence of the Marquis of Exeter, lost all chance of opposing that influence with success when a suburb was added, which properly formed a part of the town of Stamford, but which was chiefly inhabited by the tenants of Lord Exeter. Thus, in an opposite political direction, the influence of the Duke of Somerset at

Totnes was increased, by adding to the borough a part of the town, which lay on the opposite side of the river Dart. Thus, in particular counties, Whig or Tory proprietors derived some advantage from the particular line of boundary adopted, but without any intention on the part of the Government to secure any advantage to themselves. In fact the Boundary Bill framed upon these reports was adopted with very little discussion, and except with regard to the borough of Arundel, now disfranchised, with no important alteration.

The number of boroughs to be wholly or partially disfranchised had been, in my original sketch, fixed arbitrarily. Lord Durham had suggested that the penalty of total disfranchisement should be confined to towns, or rather villages, of less than 2,000 inhabitants, and that none under 4,000 should return more than one member. But the arbitrary line was now again resorted to; the number of boroughs to be wholly or partially disfranchised was taken from the Bill rejected by the House of Lords, and the test that I have mentioned was applied to that number, so that 56 boroughs, returning 111 members, were placed in Schedule A for total extinction, and 30 boroughs, returning 60 members, were condemned to lose half their Representatives. In this manner, 141 seats belonging to boroughs, which since the days of Charles I. had regularly sent Members to Parliament, were cut off on account of their dependence or their insignificance. By my original sketch 149 seats would have been disfranchised.

This was the most popular part of the Reform Bill. The country argued that from these boroughs, in scarcely any of which the element of popular representation existed, had arisen all those obstructions to the reforms and retrenchments which the people so evidently desired. As this was the strong and popular position of the Government, it would evidently be a great mistake, on the part

of our opponents, to direct their attack against it; yet, as we shall presently see, this was the part of our lines singled out for attack in the House of Lords.

The obstruction and delay from which the former Bill had suffered in its passage through the House of Commons were only partially renewed. On March 9, the Reform Bill was in Committee for the twenty-first day, and on the next day, March 10, the Report was received. On March 22, the Bill was read a third time, after a division in which the Ayes were 355, and the Noes 239; majority 116.

Throughout the debates which took place upon the Reform Bill, while Lord Althorp and I had the greater portion of the labour, and a still larger portion of the responsibility, the palm of eloquence in debate belonged undoubtedly to Lord Stanley. Conscious of my own deficiencies, I had, on the first introduction of the Reform Bill, stipulated with Lord Althorp that Mr. Grant, and not I, should undertake the task, the weightiest that belongs to a Leader, of reply at the end of the debate. But Mr. Grant contented himself with general adherence to the principles of the Bill, while Lord Stanley, by his animated appeals to the Liberal majority, by his readiness in answering the sophisms of his opponents, by the precision and boldness of his language, by his display of all the great qualities of a parliamentary orator and an able statesman, successfully vindicated the authority of the Government, and satisfied their supporters in the House of Commons.

While Sir Robert Peel was the most eminent, both in weight of argument and in oratorical ability, of the opponents of the Bill, Mr. Croker, by his profusion of words, by his warmth of declamation, and by his elaborate working out of details, was perhaps a still more formidable adversary. He told Lord Althorp, in private, that when he

discovered the error we had made of confounding the limits of parishes with those of Parliamentary boroughs, he thought himself sure of defeating the Bill. But his own statements of details were singularly inaccurate, and even where the particular point upon which he insisted was not mistaken, his exaggerations of its importance were repulsive to the House of Commons. Above all, the tide of opinion flowed so rapidly, that all obstacles were swept away, like Canute's chair, by the advancing waves. Thus the Bill which had been introduced to the notice of the House of Commons on March 1, 1831, was finally passed on March 22, 1832, but little impaired in efficiency. It overthrew a system which had been left untouched at the Revolution, a period when the wisest patriots, forced by necessity to transfer the Crown to a foreign prince, had been careful rather to maintain the ancient privileges of the Constitution, than to disturb other parts of the existing edifice. The same system had enabled Sir Robert Walpole to consolidate the throne of the House of Hanover, amidst internal and external dangers. But the same system enabled Lord North to maintain his power against the just demands, and justifiable insurrection of the North American Colonies, after the people had become tired of the contest against our fellow-subjects in America. The same system enabled Mr. Pitt and his successors to increase the public debt from about 230 millions to 800 millions, and to restrict, by the most severe laws, the rights of public meeting, and the liberty of the press. The fidelity with which the majority of the House of Commons had supported the French War, and its costly armaments, led Pitt to renounce all his early theories upon reform, and induced him to rely on the construction of that House, as a firm barrier against democratic, or, as it was then called, Jacobin revolution. But the same willingness to sanction ex-

pense on the part of the Government, and to punish excesses on the part of the people, which had conciliated the opinion of Pitt, had estranged the public mind. Government, by nomination boroughs, had become odious to the community at large, and the House of Commons, which voted by a majority of more than a hundred its own extinction, did but sanction the judicial sentence of the country.

New perils, however, awaited the measure in the House of Lords. In view of the large majority which had rejected the Bill in October, Lord Grey had thought it right to consider what should be done if the same obstacles should recur. He and his colleagues could perceive no other resource than that of advising the King to create a large number of peers.

From 1784 to 1830, the prerogative of the Crown to create peers had been exercised almost entirely by the chiefs of the Tory party. The addition of about 80 or 100 peers, solely from one party, had entirely overthrown the old balance of parties in the House of Lords. Besides the new creations, many peers who had attached themselves to the Minister of the day, had received higher titles as the reward of their political attachment. Earls had been made Marquises; Viscounts and Barons had been made Earls. The old and venerable titles which they had received from their ancestors, were exchanged for coronets of a more exalted degree, significant of their adhesion to Tory policy, and Tory Ministers. They could not be expected to forget these recent favours, or the hands by which they had been conferred. At the same time, the creation of 60 or 70 peers for a particular purpose, though undoubtedly within the prerogative of the Crown, and not more than an adequate exercise of the power which had secured a majority to the Tory Ministers of Queen Anne, was felt to be a measure likely to shake the confidence of the country

in the stability of our ancient institutions. Admitting that the prerogative of creating peers had been abused by Pitt, and still more by Lord Liverpool, Lord Grey, as a follower of Fox, was sure to be averse to any step which might seem inconsistent with an unbounded reverence for the Constitution of these Realms. It was thought therefore by the Ministry and their supporters, that every effort ought to be made to secure a majority by conciliating the opponents of the Bill. Lords Harrowby and Wharncliffe, who were in that day called the waverers, met Lord Grey and Lord Palmerston, in order to suggest alterations which might conciliate some who were not hostile in principle to Reform, but who considered the Bill of 1831 as dangerous and revolutionary. It was found, however, that the alterations proposed would seriously impair the efficiency of the Bill. Lord Harrowby and Lord Wharncliffe, therefore, while they agreed to support the second reading, were left at liberty to propose their own amendments in Committee, without the promise of any concession on the part of Lord Grey. Various members of the Ministry wrote to their friends, who were members of the House of Lords, pointing out to them the danger of a large creation of peers, and exhorting them to ward off that danger by supporting the Reform Bill. Of three peers to whom I wrote with this object, one supported the second reading, one abstained from voting, and the third repeated his vote against the Bill.

It was considered by the Cabinet, that these endeavours to procure a majority were not of themselves sufficient, and that the King should be asked to consent to a creation of peers as guarded and limited as possible, in case of the rejection of the Bill on the second reading. This proposal, although very unpalatable to the King, received His Majesty's sanction. Whether the leaders

of the Tory party had any inkling of what had passed, I cannot tell, but they seemed to have framed their plan of campaign on the supposition that the second reading of the Bill would be carried by the Government. On April 13, the House divided, contents 184, non-contents 175, majority 9. The bill was read a second time, and ordered to be committed on the first day after the recess. The House adjourned at a quarter past seven o'clock in the morning. On April 17, the House adjourned for the Easter recess, and on May 7, when the House met again, the Bill was considered in Committee. It was understood that Lord Lyndhurst meant to move the postponement of the disfranchising clauses of the Bill. On that day I met Lord Grey riding in the park, and rode with him to the park door of his official house in Downing Street. I was anxious to ascertain what language he intended to hold, and was gratified to find, that he considered Lord Lyndhurst's proposal one of vital importance, and that he meant to hold firm language in the debate. With this assurance from Lord Grey, I felt quite certain of a speedy and triumphant issue of the contest. The debate was anxious and interesting, but was not protracted; the Tory peers who had supported the second reading of the Bill, with an unconquerable aversion to its principles and its objects, now went over in a body to the Opposition. Some of the more prudent of the Tories were alarmed at the near prospect of their temporary triumph.

The Earl of Harewood, who had had much experience in the House of Commons, said: 'He wished to exonerate himself from being a party to any project or indirect contrivance to defeat the Bill. If the proposition (the Amendment) contained in it anything which he did not understand, or anything sinister, he would not support it. He wished that more time were allowed to promulgate what was meant to be proposed, if the proposition were

successful; and if that were the case, he was sure all feelings of acrimony on the other (the Ministerial) side would be done away. He thought, if the Amendments to be proposed were seen and known, they would remove all the objections which the noble Lords opposite might have to the Amendment. He had no idea that the object was to get rid of schedule A, and if it were, he certainly would not join in any such object. He believed that the plan of enfranchisement to be proposed would include all schedule A, and perhaps more, and he had no predisposition to defeat that schedule. There might be some variations perhaps in the places to be disfranchised, but he believed if the enfranchisement were first agreed to, the places to be disfranchised would be identical with those places in schedule A. There were difficulties about the question which the plan proposed by the noble and learned Lord might get rid of. If the noble Earl (Grey) did not look on the proposition in a hostile light, much might be done to bring about a satisfactory settlement of the whole question.'

Lord Wharncliffe, who spoke before Lord Harewood, said he could assure the noble Lords opposite, that there was no disposition on the opposition side of the House, to be niggardly as to the amount of disfranchisement. The Duke of Newcastle, be remarked, had said that he would give his support to the Amendment, in order that the Bill might not pass, but that was not his view. After what had passed, he could not do anything to violate the pledge he had given; and he was prepared to go the whole length of schedule A. If the Amendment succeeded, he should vote he believed for the whole of schedule A, and would not give his consent to any Amendment which would reduce the amount of disfranchisement.

Earl Grey was not, however, to be intimidated or cajoled; 'He hoped,' he said, 'the noble Lords present would not deceive themselves, but he must say that if

the motion were successful, it would be fatal to the whole Bill. "Should the Amendment be carried, it will be necessary for me to consider what course I shall take. More I will not say, than what on a former occasion was stated by the noble Earl on the other side, and it was not denied by any other person that this Bill had found support in public opinion. Noble Lords deceive themselves, if they suppose that opinion in favour of this Bill is relaxed; and certainly I dread the effect of the House of Lords opposing itself as an insurmountable barrier to what the people think necessary for the good government of the country, and a sufficient representation." More he would not say, than that to the motion of the noble and learned Lord, he meant to give his most determined opposition.'

The Committee divided on the Amendment: contents 151; not contents 116: majority in favour of the Amendment 35.

On the motion that the next clause be postponed, to which Lord Grey did not object, Lord Ellenborough took the opportunity, ill-timed as it appeared to be, to propose a scheme of his own. He said he should not object to the disfranchisement to the full extent of schedule A, making, with the members for the Borough of Weymouth, 113 seats to be placed at the disposal of Parliament. Neither did he object to the ten-pound qualification, provided it were better defined.

The immediate consequence of the vote on Lord Lyndhurst's Amendment, was a meeting of the Cabinet to consider their new position. It was evident that the House of Lords had determined, by a large majority, to defeat the Bill, which had the enthusiastic support of the House of Commons. With the exception of the Duke of Richmond, the Cabinet were unanimous in thinking that no course was left to them, but that of proposing to the King to

sanction a creation of Peers, sufficiently numerous to overbear the opposition of the Lords. Lord Grey, as Prime Minister, and Lord Brougham as Lord Chancellor, carried this advice to Windsor. The King, anxious as he was to see a Reform Bill carried, and even willing to go to a considerable extent, in favour of Lord Grey's Bill, shrunk from the alternative now proposed to him. It seemed to him, that to overbear the majority of the House of Lords was to destroy the independence of that body. He, therefore, at once rejected the advice of his Ministers. Lord Grey and Lord Brougham at once returned to London to report this decision to their colleagues.

The next day Lord Lyndhurst was sent for, and informed that the King had accepted the resignation of his Ministers, and that he was determined, if possible, to form a Government on the principle of carrying an extensive reform in the representation of the people. The Duke of Wellington, impelled by that honourable feeling of loyalty to the Crown which induced him to incur any risk, and almost to surrender any opinion rather that show himself wanting in zeal for his sovereign, informed Lord Lyndhurst that he would endeavour to form a Government in compliance with the King's wishes. From Sir Robert Peel Lord Lyndhurst received a very different answer. He declined to make himself responsible for a Bill which, in his opinion, as he had often and publicly declared, would entail great calamities on the country. He, therefore, refused to accept office, while he professed his readiness to give that support to the efforts of the Duke of Wellington which his opinions would permit him to afford.

There was something remarkable in the contrast between the conduct of the Duke of Wellington and that of Sir Robert Peel at this crisis. They were both men of high character, both anxious for the honour of their Sovereign and the welfare of the country. Their position appeared

similar, if not identical. Yet the Duke of Wellington declared that, if he had refused to assist in the formation of a Government, he should have been ashamed to show his face in the streets; while Sir Robert Peel declared in the House of Commons that if he had accepted the task proposed to him, he could not have walked upright into that House. The Duke of Wellington's feeling was one of excessive loyalty as a subject, Sir Robert Peel's that of dignity and consistency as a statesman. We have no right to withhold our meed of respect from either of them.

It has been commonly supposed that, after the refusal of Sir Robert Peel, the Duke of Wellington had recourse to Mr. Alexander Baring, a man of great experience, of great ability, and intimately acquainted with the means by which the credit of the country was upheld. But while these negotiations were pending, and while Mr. Baring, whose mind was irresolute, doubted as to the course he should pursue, events rushed rapidly on, and turned his hesitation into despair.

London and the country were not only awake, but highly excited at the crisis before them. Men who would have accepted with satisfaction the disfranchisement of ten small boroughs, and the enfranchisement of ten large manufacturing towns three years before, were now not in the least appeased by Lord Ellenborough's offer to sacrifice 113 seats, and to fill them up from unrepresented places. Nine years previously I had said that if reform were not allowed to follow its course with the majesty of a river, it would rush on with the madness of a torrent. I had been laughed at by one of my Tory friends for this phrase, but he and others were now carried away by that torrent, the approach of which they had so little foreseen. This was indeed a moment of peril. It was the only time during my political life in which I have felt uneasy as to

the result. Fortunately in this as in other cases, the House of Commons proved the safety-valve of society.

On the very day, May 9, when Lord Althorp announced the fact of the resignation of Ministers, Lord Ebrington gave notice of a motion, for the next day, for an address to the Crown, to implore his Majesty to call to his councils such persons only as will carry into effect, unimpaired in all its essential provisions, that Bill for reforming the representation of the people, which has recently passed this House. Notice was also given of a motion for a call of the House. On the next day, accordingly, Lord Ebrington made his motion, and was opposed by Mr. Baring, who said that if the Opposition had been imputed to personal motives, he would only ask those who made such an imputation to look to the fact that almost all the members of the Government opposite had been opposed to reform, except the noble lord (Lord John Russell), and there was hardly a public man in the country, and more particularly in the King's councils, who had not, at one time or another, been opposed to such a sweeping measure of reform as that introduced by his Majesty's Government. Mr. Baring pretended to be ignorant of the causes of the resignation of the Ministers. In answer to this assertion, Lord Althorp gave a clear and manly statement of the causes which had induced the Ministers to resign. 'I stated last night,' he said, 'that the advice which we gave was occasioned by our finding that it was impossible to carry the Reform Bill. We, therefore, Sir, asked his Majesty to enable us to take such steps as were necessary to carry the Bill; and to carry it where, Sir? Why, in the House of Lords. That was the statement which I made last night. But as my hon. friend does not think that was enough, I have no objection to state, for his better satisfaction, that the advice which we thought it our duty to offer to his Majesty was, that he should create

a number of peers sufficient to carry the Reform Bill through the other House of Parliament in an efficient form.' A division took place the same night, when there appeared for the motion, 288; noes, 208; majority, 80. Before the debate began, the Sheriff and Remembrancer of the City of London had presented a petition from the City, praying the House to stop the supplies till the Reform Bill was passed. On the next day, May 11, Mr. John Wood presented a petition from Manchester which, he said, was signed, in the space of three hours, by 25,000 persons, and which, he believed, would be followed by thousands of other petitions, praying the House not to vote any supplies until a measure essential to the happiness of the people and the safety of the throne shall be carried into a law.

The excitement continued to increase. At a meeting at Brooks's Club, Mr. Stanley made a most violent speech against the formation of a Ministry which was not prepared to carry the Reform Bill in its integrity.

This occurrence is said to have taken place on Saturday, the 12th. I was not present at the meeting. On Monday, the 14th, the Ministry of the Duke of Wellington was nipt in the bud in the House of Commons. After a debate upon a petition which had been passed at a meeting of the livery of the City of London in the Common Hall assembled, and in which debate Mr. Baring, Lord Althorp, Sir Henry Harding, Lord Palmerston, and the Attorney-General spoke, Sir Robert Inglis rose. He said, 'that while he held, as an old Tory, that the King had the same right to give his decision on any measure which might pass the two Houses, he could not forget also this other great constitutional truth, that the opinions and wishes of the King were known to the House in no other way than by his public acts, for which his known confidential advisers were responsible. He was told that the new

Government was actually to take charge, had, indeed, already taken charge, of the Reform Bill.

'He was willing to make the greatest allowance for changes of opinion in young men; but, when he was told of men of mature age—statesmen who all their lives had been opposed to a particular measure, who had in April protested against it as revolutionary, adopting it and making it their own measure in May, he must own that he could imagine no consideration which could justify such a change of conduct. He did not accuse any one of love of pelf, or even of power; he did not say that ambition, that last infirmity of noble minds, had misled any one; but the conduct itself, from whatever motive, he must deprecate as fatal to that singleness and consistency of public character which, as he had already stated, he considered to be the best property of public men, and, in them, of their country.' Sir Robert Inglis' character, universally respected, added great weight to these words, and, when it became quite clear that the new Government would neither be joined by Sir Robert Peel nor supported by Sir Robert Inglis, Mr. Baring saw that his task was hopeless. Accordingly, before the end of the night, he intimated clearly that the attempt would not be proceeded with, and that he wished to see the former Ministers resume their offices. In reviewing these events, it is impossible to refuse to the Duke of Wellington the tribute at all times due to him of having acted from conscientious motives and a high sense of honour. But while the Duke of Wellington was actuated only by undeviating loyalty to his Sovereign — and it is not surprising that this feeling should take deep root in the mind of a military man used to obedience as a soldier, and attached to the throne—it was indeed strange that Mr. Baring and others should have supposed that to such a principle could be sacrificed the character of a public man and the Constitu-

tion of these realms. The failure of this attempt to set aside the very basis of the constitution was a happy event, on which the House of Commons might justly pride itself.

As soon as the Duke of Wellington perceived, from the discussions in the House of Commons, that it was impossible to form a Government which would secure the confidence of the country, he felt it his duty to report that he could not fulfil the commission with which his Majesty had been pleased to honour him. The King thereupon resolved to renew his communications with his former Ministry.

When Lord Grey received this communication, he merely informed the King that he was aware that the Duke of Wellington had failed in forming a Ministry, and that he would consult his former colleagues on the state of affairs.

When the Cabinet assembled, very serious discussions took place. It was unanimously resolved that the Bill must be carried in its integrity, and the question was, how this object was to be effected. It was understood that Sir Herbert Taylor, on the part of the King, would use the royal influence, and that the Duke of Wellington, on his part, would do all in his power to induce the Peers to abstain from further opposition to the Reform Bill. Sir Herbert Taylor was very active in concert with others in reconciling the King to a course which, although it did not directly overpower the House of Lords by a large creation of Peers, yet, upon this occasion, and on a question of the gravest importance, absolutely destroyed their privileges as a House of Parliament, and reduced them to a cipher in the working of the Constitution.

But the Cabinet were not satisfied with the probable effect of the influences thus brought to bear upon the Peers; they thought it necessary that Lord Grey should

be armed with the power to create peers, in a number sufficient to carry the Reform Bill, should any of its essential provisions be interfered with in its further progress through the House of Lords. It was not until the King had given to Lord Grey his solemn promise that, if called upon, he would create peers in a sufficient number for this purpose, that the Ministers consented to resume their offices.[1]

Lord Althorp, in announcing the restoration of the Ministry, said he could not explain the nature of the securities for carrying the Bill which Lord Grey and his colleagues had obtained, but that he trusted the House had sufficient confidence in him to be satisfied with his assurance that they had that security.

After this the Bill passed triumphantly through Committee without much debate, and with no important alteration. It was read a third time by a majority of eighty. A Boundary Bill, complicated in its details, was successfully carried through both Houses. The Reform Bills for Scotland and Ireland were likewise carried, and on August 16 Parliament was prorogued.

A Session more successful for the Ministry could not well have been. The manly and straightforward conduct of Lord Grey, and the enthusiastic support he received from the people, overcame all opposition.

It may be a question, however, whether the manner in which the vote of the House of Lords was nullified by the compulsory absence of a great many of the majority, was not more perilous for their authority, than the creation of peers, which the Cabinet of Lord Grey proposed. In the reign of Queen Anne, there had been a decided majority in the House of Lords adverse to the Ministry of the day, which had interfered so far with the royal

[1] See *Correspondence of King William IV. and Earl Grey*, vol. ii. p. 464.

prerogative, as to address the Queen not to consent to any peace, which should leave the Crown of Spain in the possession of any branch of the House of Bourbon. This was a most unconstitutional interference with the prerogative of the Crown, and the discretion of its advisers, who could not fail to be influenced by the events of the war. The Tory Ministry of that day, strong in the confidence of the Queen and of the country, obtained from the Crown the creation of a sufficient number of peers to overbear the majority, and secure the harmonious working of the Constitution. In those days, when the House of Peers was not crowded by the host of partisans who were added to it by Mr. Pitt and his successors, the creation of twelve peers was sufficient for the purpose of Harley and St. John; but whether twelve or one hundred be the number requisite to enable the Peers to give their votes in conformity with their conscientious opinions, it seems to me that a House of Lords, sympathising with the people at large, and acting in concurrence with the enlightened state of public opinion, represents far better the dignity of the House, and its share in legislation, than a majority got together by the long supremacy of one party in the State, eager to show its ill-will by rejecting Bills of small importance, but afraid to appear, and skulking in clubs and country houses, in face of a measure which has attracted the ardent sympathy of public opinion.

Yet such was the state in which the House of Lords was left by the forbearance and regard for royal scruples of Lord Grey and his colleagues. Mr. Pitt, in a few years, had advised the creation of one hundred peers. Lord Liverpool had sanctioned the creation of fifteen or more in a single day. Lord Grey, on succeeding to power in 1830, found, in the House of Peers, a majority of at least eighty party adherents arrayed against him. After the Reform Bill, this majority was held back with

scrupulous care by the Duke of Wellington, but it was unscrupulously employed by Lord Lyndhurst to stop the course of wholesome legislation, and to nip in the bud measures which, while they were useful, were at the same time unpretending, and were not likely to rouse popular enthusiasm, or to justify in the eyes of the country a large addition to the House of Lords.

After the passing of the Reform Act, a duty of the highest importance, of the gravest responsibility, but at the same time of the clearest necessity, devolved upon the Government.

The long war in which England had been engaged had brought with it immense burthens, an enormous debt, an inconvertible currency, an entire derangement of the relation between capital and labour, and an abuse of the Poor Laws, which had placed the rural population in a state of idleness and discontent, and threatened to absorb all the funds of the landowners and farmers. To these permanent disorders, was to be added a condition of Ireland, destructive of life and property, which urgently required immediate remedies.

Of these evils, the last, as being the most urgent, required the earliest attention. A measure of coercion containing very strong provisions was sent over by the Government of Ireland. Lord Grey accepted it, because, in his opinion, the protection of life and property was a duty incumbent upon every government. Lord Althorp accepted it also, because, in his opinion, the stronger the measure, the more likely was it to be temporary, and to give way after a short time to the restoration of the ordinary law. But while Lord Althorp was as fully persuaded as any member of the Cabinet, of the necessity for this Bill, he was little fitted to persuade a Liberal House of Commons to acquiesce in a proposal repugnant to their dispositions, and at variance with their

settled opinions. It was thought right, however, that he, as the leader of the Government in the House of Commons, should introduce the Coercion Bill. He did so in a manner tame and ineffective. His detail of the outrages committed in Ireland, was like reading a few of the blackest pages of the Newgate Calendar. The Liberal majority were disappointed, sullen, and ready to break out into mutiny against their chief. Mr. Stanley, who was sitting next to me, greatly annoyed at the aspect of the House, said to me, 'I meant not to have spoken till to-morrow night, but I find I must speak to-night.' He took Lord Althorp's box of official papers, and went upstairs to a room where he could look over them quietly. After the debate had proceeded for two or three hours longer, with no change of temper in the House, Mr. Stanley rose. He explained, with admirable clearness, the insecure and alarming state of Ireland. He then went over, case by case, the more dreadful of the outrages which had been committed. He detailed, with striking effect, the circumstances attending the murder of a clergyman, and the agony of his widow, who after seeing her husband murdered, had to bear in terror running knocks at the door, kept on all night by the miscreants who had committed the crime. The House became appalled and agitated at the dreadful picture which he placed before their eyes; they felt for the sorrows of the innocent; they were shocked at the dominion of assassins and robbers. When he had produced a thrilling effect by these descriptions, he turned upon O'Connell, who led the Opposition to the measure, and who seemed a short time before about to achieve a triumph in favour of sedition and anarchy. He recalled to the recollection of the House of Commons, that at a recent public meeting, O'Connell had spoken of the House of Commons as 658 scoundrels. In a tempest of scorn and indignation, he

excited the anger of the men thus designated, against the author of the calumny. The House, which two hours before seemed about to yield to the great agitator, was now almost ready to tear him to pieces. In the midst of the storm which his eloquence had raised, he sat down, having achieved one of the greatest triumphs of eloquence ever won in a popular assembly by the powers of oratory.

On February 12, a Bill was brought into the House of Commons by Lord Althorp, for the reform of the Church of Ireland. Ten bishoprics were to be suppressed, the Church rates entirely abolished, and arrangements made for the transfer to other districts, of the income of benefices where divine service had not been performed for three years. Three members of the Cabinet, Lord Althorp, Lord Durham, and I, had wished to transfer some of the revenues of the Established Church to general purposes of education; but Lord Grey having declared himself strongly against any such provision in the Bill, Lord Althorp gave way, and Lord Durham and I followed his example. But the difference of opinion which was at this time stifled, broke out with irresistible force in the following year.

The year 1833 was, in my opinion, the most distinguished and the most memorable of Lord Derby's political career. In the course of the discussions which arose upon the subject of slavery in the West Indies, Lord Grey had thought it desirable that Mr. Stanley should be transferred from his post in Ireland to the office of Secretary of State for the Colonies, and the measure for the abolition of slavery fell, consequently, into his hands. But he was not thereby freed from the responsibility of mastering and defending the details of the Irish Church Temporalities Bill; and, therefore, besides the Irish Coercion Bill, which he had carried by the force of his eloquence, he had to

conduct through Parliament and defend, clause by clause, the Irish Church Temporalities Bill, and the Colonial Slavery Abolition Bill, two of the largest and most important measures that were ever proposed for the consideration of Parliament. He performed these tasks with infinite skill, readiness, and ability; and for my part I felt and expressed to my friend the Duke of Richmond, the opinion which I firmly entertained, that whenever Lord Althorp should retire, or, by his father's death, be removed to the House of Lords, Mr. Stanley would be fully qualified to assume his place as leader of the Liberal party in the House of Commons. It will be seen how subsequent events destroyed this prospect, and produced a disastrous rupture in the Ministry.

In the year 1834, Parliament met early in February. The King remarked in his speech, that during the last session more numerous and more important questions were brought under the consideration of Parliament, than during any former period of similar duration. In fact, the embarrassment of the Government and of Parliament arose rather from the abundance of subjects and the difficulty of considering them in due order, than from any want of diligence either on the part of the Ministry, or of the House of Commons. In the Royal speech, attention was called to the state of the municipal corporations, to the administration and effect of the Poor Laws, and to ecclesiastical revenues and patronage in England and in Wales. With respect to Ireland, the King recommended the early consideration of such a final adjustment of the tithes in that part of the United Kingdom, as might extinguish all just causes of complaint without injury to the rights and property of any class of subjects, or to any institution in Church or State. These subjects occupied four or five years, and their consideration was constantly interrupted by topics of immediate interest, by events connected with

foreign policy, and by the impatience of the more eager reformers, to introduce into debate proposals of change which would have required fifteen or twenty sessions to deal with. Besides these topics there were other proposals, compliance with which would either have been inconsistent with the due faith to be observed to the Crown, or injurious to the interests of the country.

Among the subjects recommended to consideration in the King's speech, there was none more urgent or more important than the reform of the Poor Laws. A commission had been appointed upon this subject, and their labours had for their result a valuable report, which formed a matter of anxious deliberation in a committee of the Cabinet of which Lord Althorp was the principal member. Lord Brougham did not attend the committee, but took much interest in the subject. The report of the Commissioners of Enquiry was presented to the Government in February 1834, and on April 17 of that year, Lord Althorp introduced a Bill into the House of Commons. This Bill underwent much discussion, and had to encounter a violent, though by no means a party, opposition in the House of Commons. But the patience, the good sense, the practical experience, the unremitting labour, and the just influence of Lord Althorp overcame the obstacles which ignorance, prejudice, and the violent opposition of a person of much influence in the Press, interposed against this great measure. The Bill was sent to the House of Lords July 1, and received the Royal assent August 14 of this year.

Increase of the amount raised for Poor Rates had been enormous in three-quarters of a century. In 1748, '49, '50, the average amount raised within the year for Poor Rates and County Rates was 730,000*l.* In 1775, it was 1,720,000*l.* In 1801 the sums expended for the relief of the poor exceeded 4,000,000*l.* In 1811 these sums exceeded

6,600,000*l.* In 1821 they amounted to 6,959,000*l.* In 1831 to 6,798,000*l*, and in 1832 to upwards of 7,000,000*l.*

But within three years after the passing of the new Poor Law the decrease was equally remarkable. In 1837 they amounted only to 4,000,000*l.*, and in the years 1838 and 1839, they did not reach 4,500,000*l.* It is to be feared, however, that the sound principles inculcated by the commissioners of 1834 have been relaxed in practice by the ignorance, the carelessness, or the fear of unpopularity, which have checked the due administration of the Law. With respect to other subjects, but little progress was made, and dissensions in the Ministry produced a fatal effect on the union of the Cabinet. I have already stated that, on the subject of the Irish Church, I had the misfortune to differ from Mr. Stanley, and on May 6, after Stanley had spoken, and had declared that he adhered to his former opinions, I made the following statement: — 'With respect to the proposition of the hon. and learned member, that one-fifth of the composition should be paid out of the public revenue, he was quite certain that this contribution of the nation would be entirely thrown away, unless some new principle were established by Parliament with regard to appropriation. Upon the subject of appropriation, the hon. and learned member for Tipperary alluded, the other night, to an opinion which he (Lord John Russell) gave, when out of office, which the hon. and learned member said was contrary to the opinion he had since given when in office. But the only opinion he had ever given on this subject, when out of office, was by giving a silent vote in favour of a motion made by the hon. member for Middlesex. He did not understand that this Bill contained any proposition on that subject. As he understood it, the object of this Bill was, to ascertain and secure the amount of the tithe. The question of appropriation was to be kept entirely distinct. If the object of the Bill were to

grant a certain sum to the Established Church of Ireland, and the question were to end there, his opinion of it might be very different. But he understood it to be a Bill to secure a certain amount of property and revenue destined by the State to religious and charitable purposes, and if the State should find that it was not appropriated justly to the purposes of religious and moral instruction, for which such revenues were intended, when given to any Church Establishment, it would then be the duty of Parliament to consider of a different appropriation. His opinion upon that subject was declared—not when out of office, but when in office,—and that opinion was, that the revenues of the Church of Ireland were larger than necessary for the religious and moral instruction of the persons belonging to that Church, and for the stability of the Church itself. The more he had seen and reflected since, the more had that opinion been confirmed. He did not think it would be advisable or wise to mix the question of appropriation with the question of amount of the revenues; but when Parliament had vindicated the property in tithes, he should then be prepared to assert his opinion with regard to their appropriation; and if, when the revenue was once secured, the assertion of that opinion should lead him to differ and separate from those with whom he was united by political connection, and for whom he entertained the deepest private affection, he should feel much regret; yet, considering himself pledged not only by his general duty as a Member of that House, but by the resolution which had been passed the other day, to attend to the just complaints of the people of Ireland, and considering that if there ever were a just ground of complaint on the part of any people against any grievance, it was the complaint of the people of Ireland against the present appropriation of tithes—he should then, deeply lamenting the decision he should feel himself

bound to come to, but at the same time, reflecting that he had to the utmost of his power resisted all projects for the repeal of the union, and that he had, by the support he gave to this and former Bills for the maintenance of tithes, vindicated the right of property against those who wrongfully withheld them, he should, at whatever cost and sacrifice, do what he should consider his bounden duty; namely, do justice to Ireland.'

This speech was prompted by what I understood to be a declaration of Mr. Stanley, that he meant to persevere in the opinions he had given respecting the permanence of the Church of Ireland, and I thought that if that declaration were received in silence by his colleagues, the whole Government would be considered pledged to the maintenance of the revenues of the Church of Ireland, undiminished. I do not find in Hansard any such declaration, but it was strongly fixed in my mind at the time, and is so fixed in my memory at present. Perhaps Stanley's words were not so peremptory as I supposed, perhaps the words he uttered have been omitted in the Reports. Be that as it may, my speech made a great impression, the cheering was loud and general, and Mr. Stanley pronounced his sense of it in a well-known note to Sir James Graham. When the Cabinet next met, much dissatisfaction was expressed; some wished me to retract what I had said, but that I positively refused to do. Lord Althorp testified to the hearty cheering of the Liberal party. The question of the Irish Church was evidently advancing to a crisis. Redress was not immediately granted; justice was not done then; but a commencement had been made, and that which was not performed at the union by Mr. Pitt, and which the Duke of Wellington and Sir Robert Peel left undone in 1829, was yet to be accomplished. Mr. Ward did not give up his intention to bring forward a motion upon the Irish Church. He quoted the opinions of

Lord Brougham, and those which Lord Althorp had stated in 1824. He ended with the following motion:—'That the Protestant Episcopal Establishment in Ireland exceeds the spiritual wants of the Protestant population: and that, it being the right of the State to regulate the distribution of Church property in such manner as Parliament may determine, it is the opinion of this House, that the temporal possessions of the Church of Ireland, as now established by law, ought to be reduced.' The debate was interrupted after the motion had been seconded by Mr. Grote, who said that when the advocates for the repeal of the union, put forward the evils arising from the Irish Church Establishment, no man replied to them. He continued:—'When the magnanimity of England in her conduct to Scotland, as compared with her conduct to Ireland, with regard to their respective Churches, was urged, no man replied to them, and why? Because no reasonable answer could be given to such objections. The first step towards the reform of an abuse was to lay down a good principle, such a principle was laid down in this motion, and, as a first step, he earnestly hoped that the House would concur in it.' After this speech Lord Althorp rose, and spoke to the following effect:—'Since my hon. friend who rose to support this motion commenced his address, circumstances have come to my knowledge which induce me to move that the further debate upon this subject be adjourned to Monday next. I cannot now state what those circumstances are, but I hope the House has sufficient confidence in me (the noble lord was interrupted by loud and long-continued cheering, from all parts of the House)—I hope, I repeat, that the House will have sufficient confidence in me, to believe, that I would not make such a proposition unless I were convinced of its propriety. I now move that the further debate on this motion be adjourned to Monday next.'

On the Monday following, it was well known that four members of the Cabinet, and those among the most important, had resigned. The Cabinet, previously to their taking this step, had resolved on advising the Crown to appoint a commission to enquire into the revenues of the Church of Ireland, and the number of members belonging to that Church, compared with the whole population of Ireland. The consequence was, the resignation of the Earl of Ripon, Lord Privy Seal, Mr. Stanley, Secretary of State for the Colonies, Sir James Graham, First Lord of the Admiralty, and the Duke of Richmond, Postmaster General. The issuing of this commission was considered by these four members of the Cabinet, as a preliminary step towards the partial disendowment of the Established Church of Ireland. The motives of the seceders were thus explained by the Earl of Ripon, on June 6, in the House of Lords, in answer to a speech of Lord Grey:—

'As his noble friend (Lord Grey) had correctly stated, the proposition to appoint a commission arose out of peculiar circumstances, and was not taken up suddenly. The question was deeply considered, and certainly great objections were felt by himself, as well as by his colleagues, to the adoption of that measure. He had no particular desire to avail himself of the compliment that had been paid to himself and his colleagues, in adverting to their having been described as the "drags" of the Government of which they were members; but he might remark that possibly they had been useful "drags." At all events he certainly did feel, with regard to the commission, that if he assented to it, the question as to the appropriation of the revenues of the Church to secular purposes was settled; and when he asked himself if he could assent to such a proposition, his answer was, no. He thought that the principle of enquiry into the state of the population of parishes, to ascertain the number of resident Protestants therein,

as compared with the number of Catholics, if it meant anything, must mean something that had a direct tendency to effect an alteration of the principles on which the Church Establishment was based. His noble friend stated that he did not contemplate the possibility of any great change as the result of appointing the commission; but it was because he (the Earl of Ripon) believed, that the effect of the commission must be to alter the footing on which the Established Church stood, that he could not concur in that preliminary step.' Lord Ripon went on to argue, that if the revenue of the Church in a particular parish was to be regulated by the number of the Protestant population in that parish, then they destroyed the principle on which alone the Established Church existed.

Such was the commencement of the contest on the subject of the Established Church of Ireland. Had it been continued in every Session, from 1834 to the present time, a period of thirty-five years, it is probable that little progress would have been made, parties would have been marshalled against each other every year, and popular interest on the subject would have languished, and perhaps have perished. During the truce of this long period, discussion has taken place, information has been given, floods of light have been poured upon the subject, and public opinion has perceived the absurdity, the injustice, and the insult, of a monopoly kept up for the benefit of one-eighth of the population of Ireland, and repugnant to the sentiments of at least three-fourths of the people.[1]

[1] In revising this page of my manuscript, I am struck by reading, in the *Times*, the remark of the shrewd and learned Bishop Philpotts, made many (more than twenty) years ago to Sir George Bowyer—'The Irish Church must go. It is doomed, and nothing can save it, and if we don't keep clear of it we shall go too.' (*Times*, September 21, 1869.) A son of Bishop Philpotts has since contradicted Sir George Bowyer's assertion, but I can readily believe his story, and at the same time admit that the Bishop may have been, in his later years, a partisan of the Irish Church.

An event of far greater importance than the secession of four members of the Cabinet, important as that was, occurred in the same session. The head of the Cabinet himself retired from office, and thenceforth took little part in public life, leaving, however, a brilliant example of unstained honour, of consistent public principle, and of a success in legislation achieved in strict conformity with the principles which, in conjunction with his great leader Mr. Fox, he had always strenuously maintained. It is well that those who embrace politics as the occupation of their lives, should have before them the example of two such men as Fox and Grey, who, having early in life distinguished themselves by their attachment to the cause of civil and religious liberty, of peace abroad and of reform at home, should have persevered in those sentiments in spite of the proscription of a court, and the mistaken passions of a people—should have vindicated in Parliament the suppression of the Slave Trade, the abolition of slavery in our colonies, and the cause of justice in Ireland, together with all those measures which flow from the adoption of sound principles, maintained during many years of political contention, and cherished to their last breath with unswerving rectitude. If the seventeenth century saw, in Sunderland and Shaftesbury, the example of selfishness and faction, the names of Fox and Grey should ever be used to incite men, who enter into public life, to keep their honour unstained, and to look to the welfare of their country as the object of all their exertions.

The immediate occasion of Lord Grey's retirement was in itself not very creditable to those who were the causes of it. Lord Wellesley, the Lord-Lieutenant of Ireland, was led to suppose that he should facilitate the course of the Government on the Irish Coercion Bill, by departing partially from the sentiment he had expressed in a public

despatch—that political agitation and rural outrage were joined together, 'by one unbroken chain of indissoluble connection.' Lord Althorp, in a manner quite inconsistent with his usual guarded conduct, allowed Mr. Littleton, the Chief Secretary of Ireland, to inform O'Connell that in all probability the Cabinet would not renew the Coercion Act in its full rigour. When, therefore, Lord Grey proposed to his Cabinet the renewal of the Coercion Act without alteration, although he carried with him a majority of his colleagues, he was strongly opposed by Lord Althorp, who was followed by Mr. Grant, Mr. Spring Rice and Mr. Abercromby. Upon the proposal being made in the House of Commons, in conformity with the opinion of the majority, Mr. O'Connell referred, in a way that Lord Althorp could not misunderstand, to the assurances he had received, and protested with his usual power and eloquence against the Government proposal. Lord Althorp that same night called together those who had agreed with him in the Cabinet, and with their concurrence sent his resignation to Lord Grey. Lord Grey, in laying this letter before the King, accompanied it with his own resignation.[1]

A Cabinet was summoned for the following evening; meeting Lord Melbourne in the park, he said 'I believe we are summoned to-night to consider a decision already made.' At the meeting of the Cabinet in the evening, Lord Grey placed before us the letters containing his own

[1] I was sitting by Lord Althorp when he announced, after O'Connell's speech, in his own homely way, his resolution to resign. 'The pig 's killed,' he said. A porcine illustration was not new in our history. When Henry VIII. was considering of the best means of procuring his divorce from Catherine of Aragon, he gave his decision in favour of Cranmer's opinion by saying 'Cranmer has got the right sow by the ear.' When Sir Robert Walpole was asked how he had overcome Sir Spencer Compton, to whom the King was partial, he replied, 'He got the wrong sow by the ear, and I the right.' So vulgar and idiomatic are the phrases of English monarchs and ministers.

resignation, and that of Lord Althorp, which he had sent early in the morning to the King. He likewise laid before us the King's gracious acceptance of his resignation, and he gave to Lord Melbourne a sealed letter from his Majesty. Lord Melbourne, upon opening this letter, found in it an invitation to place himself at the head, and undertake the formation of a Government. Seeing that nothing was to be done that night, I left the Cabinet and went to the Opera.

The acceptance of Lord Grey's resignation by the King was somewhat hurried; there was no reason why, upon friendly discussion between Lord Grey and Lord Althorp, the difference with respect to the clauses in the Coercion Bill, objected to by Lord Althorp, should not have been arranged. The whole measure was at that time one rather of precaution than of urgency; and had the dangers of the former year again arisen, Parliament might have been called upon to supply the want of authority.

But the King's purpose in this hasty acceptance soon became apparent. His Majesty desired Lord Melbourne to consider whether the Duke of Wellington and Sir Robert Peel might not be invited to join the Administration. Lord Melbourne, who was very averse to coalitions, declined in positive, though very courteous terms, to undertake any such task. He had in view the maintenance of the Administration, taking himself the place of Lord Grey, and giving Lord Duncannon the Home Department. Lord Grey asked me, at the Levée, whether I had any objection to continue in office under Lord Melbourne? I told him I had not.

But the great difficulty which every one felt, was how to secure the continuance of Lord Althorp in his post as Leader of the House of Commons. It was obvious that Lord Althorp would not consent to the renewal of the

Coercion Act, unless those clauses to which he had objected were omitted. But there was a still greater difficulty; it might seem that Lord Grey's resignation was forced upon him by Lord Althorp, and that Lord Althorp's object had been to remain in office himself without Lord Grey. But this supposition was totally inconsistent with the known inclinations and wishes of Lord Althorp. One of the ministers who had seceded on the question of the Irish Church, said that if he had been told that Lord Althorp had engaged in an intrigue to get out of office he might have believed it, but an assertion that Lord Althorp had intrigued in order to remain in office, was utterly incredible. In fact, Lord Althorp detested office, and it was only at the earnest solicitation of his friends, the leaders of the Liberal party in the House of Commons, that he very reluctantly consented to retain his official position under Lord Melbourne. His acquiescence cost him a painful effort, and he no doubt determined at this time that if any event should set him free, he would never again take office upon any terms.

The death of Lord Spencer put this resolution to the test. Lord Althorp ceased to be the leader of the House of Commons, and no entreaties could induce him to accept, as a Peer, the post of Secretary of State for the Colonies. Mr. Spring Rice becoming Chancellor of the Exchequer in his place, he retired for ever from public life.

There had been an impression in the Liberal party, that no one but Lord Althorp could lead the party in the House of Commons, and as that arrangement had finally ceased, the difficulty was very great. Lord Melbourne informed me that he had consulted all his colleagues, and that each had said, with more or less warmth of expression, that I was the person to whom that position should be offered. Thus invited, I considered it my duty to

accept the task, though I told Lord Melbourne that I could not expect to have the same influence with the House of Commons which Lord Althorp had possessed. In conversation with Mr. Abercromby I said, more in joke than in earnest, that if I were offered the command of the Channel fleet and thought it my duty to accept, I should not refuse it. On this private and casual remark, Sydney Smith afterwards constructed an elaborate charge; and as I had consented, in the ecclesiastical commission, to a proposal that the patronage of the Deans and Chapters should be transferred to the Bishops, he was so angry as to impute to me a want of feeling with which I trust I am not justly chargeable.

Lord Melbourne went to Brighton, and proposed to the King that I should succeed Lord Althorp as leader in the House of Commons. The King objected. Lord Melbourne then proposed successively the names of Mr. Spring Rice and Mr. Abercromby. But the King objected to both; and the next morning gave Lord Melbourne a written paper, saying that he had no further occasion for his services, or those of his colleagues. Lord Melbourne returned to London that day, bringing with him a letter for the Duke of Wellington. He saw no one that evening but Lord Brougham and Lord Duncannon, and he earnestly impressed upon them the importance of keeping the whole matter secret, till after the meeting of the Cabinet, which was fixed for twelve o'clock on the following day. Before that time arrived, however, two of the morning newspapers, the 'Times' and the 'Morning Chronicle,' had announced the dismissal of the Ministry, and the 'Morning Chronicle' added to the announcement the words, 'the Queen has done it all.' This comment gave just offence to the King. He required the Duke of Wellington to deprive the Ministers at once

of their offices. Lord Duncannon was interrupted at Church, during the time of divine service, by a messenger commanding the instant delivery of the Seals of the Home Department. The Duke of Wellington recommended that a messenger should be sent for Sir Robert Peel, who was at Rome, and that to him should be entrusted the formation of a new Administration.

This whole proceeding was a very ill-judged step on the part of the King. Whatever might ultimately be the views of Lord Melbourne's Ministry on the Irish Church, no measure upon that subject had hitherto been matter of agreement, or even of deliberation in the Cabinet. Lord Melbourne and his colleagues possessed the confidence of a great majority of the House of Commons. If no one of the Ministry should be found to inherit the confidence so freely accorded to Lord Althorp, that fact would be tested by debate and division in the House of Commons itself. If the measure which the Ministry should introduce on the subject of the Irish Church, should prove in the opinion of the House of Commons dangerous or impracticable, the vote upon that subject would involve their fall. Thus the King would have been relieved from responsibility, but by taking upon himself the initiative, he naturally offended the whole body of the people, who considered the exercise of the Royal prerogative an act of caprice rather than of reasonable judgment. Thus Sir Robert Peel was placed in a most unfavourable position; and he aggravated his own disadvantages by advising an immediate dissolution. Had he boldly met Parliament, and had been thwarted in his attempt to govern, he might fairly have appealed to the country, and would probably have had a majority in his favour.

As it was, the very large majority which had followed the dissolution of 1832 was very sensibly diminished, but not entirely destroyed. The confidence placed in Sir

Robert Peel, and the fear of any interference with the Irish Church, were the chief reasons of the diminished number of the Whig members. Still the Liberal party had a clear majority on the Elections, but that majority consisted of every shade, from the most moderate of the Whigs to the most resolute of the Radicals. It seemed to me, as the commander-in-chief of an army so variously composed, that they could not be too soon brought into action, and that motions ought to be framed in which the whole party could agree. With this view, Mr. Abercromby was proposed as speaker, in the place of Mr. Manners Sutton, and Mr. Abercromby was elected. An amendment was proposed to the Address, advising a popular reform of corporations, and censuring the dissolution, the only act of importance for which the Ministers of the Crown were actually as well as virtually responsible. This amendment was carried. A motion for constituting an Unsectarian University of London was carried by a majority of eighty. It was made evident that Sir Robert Peel had not the confidence of the House of Commons. His position, therefore, was not consistent with the principles of the Constitution. But he determined to remain as Minister, till that want of confidence was shown by some overt act, and the difficulty was to frame a resolution, by which a proof should be given, that the Minister was not supported by the House of Commons. A notion prevailed, even among Liberals, that Sir Robert Peel should have a fair trial; an advantage which had been denied to Lord Melbourne. It seemed to me, that this fair trial would be given, and the House of Commons would still have in its hands the power of the purse—the citadel of its strength, if the supplies were only voted for three months. But when the party was consulted upon this suggestion, it was found that there were several who feared that any limitation of the ordinary vote in

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supply would affect public credit and alarm the country. I therefore reluctantly renounced this intention.

As leader of the Liberal party in the House of Commons, I had a most difficult task before me. To turn the majority into a minority by a direct vote of want of confidence would have been easy. But my object was to keep the majority together; and in the whole twenty years during which I led the Liberal party in the House of Commons, I never had so difficult a task. The plain and obvious plan of voting the supplies for three months being given up, the question naturally occurred, in what manner could Sir Robert Peel obtain that fair trial which his own partisans and many independent Whigs called for on his behalf? There appeared no question so well fitted to be made an *experimentum crucis* as the question of the Irish Church. The proposal for a commission made by Lord Grey's Government, had been considered by four of the leading members of the Cabinet as a test of principle, and the Liberal members of the first reformed House of Commons had accepted the question of the integrity and perpetual endowment of the Irish Church, as marking the frontier line between Liberal and Tory principles. I therefore proposed to bring forward a resolution, which, on the one hand would be supported by Lord Howick, and was on the other the basis of an alliance with Mr. O'Connell and the Irish members. Compact there was none, but an alliance on honourable terms of mutual co-operation undoubtedly existed. The Whigs remained as before, the firm defenders of the union; Mr. O'Connell remained as before, the ardent advocate of repeal; but upon intermediate measures on which the two parties could agree consistently with their principles, there was no want of cordiality. Nor did I ever see any cause to complain of Mr. O'Connell's conduct. He confined his opposition fairly to Irish measures. He never coun-

tenanced the Canadian Catholics in their disaffection, nor promoted a recurrence to physical force, nor used trades' unions as a means of discord and separation among classes.

I may pass over the interval between the first proposal of interference with the revenues of the Irish Church, and Sir Robert Peel's surrender of power. Those proceedings are amply detailed in the 'Parliamentary Debates.'

On Lord Melbourne's return to power, a question of great interest arose. He had determined, some months before the dissolution of Sir Robert Peel's Ministry, that he would not again sit in the same Cabinet with Lord Brougham. What were the reasons for this determination? In order to form even a conjecture, it is necessary to give a sketch, however slight, of the character of Lord Brougham.

Lord Brougham was a man of most extraordinary powers of mind. It must be said also, that with many aberrations, those powers of mind were directed to great and worthy objects; to the abolition of the slave-trade and of slavery, to the improvement of law, to the promotion of education, to the furtherance of the cause of civil and religious liberty. His speech on the trial and condemnation of missionary Smith, combined the closest and most pressing logic with the most eloquent denunciations of oppression, and the most powerful appeal to justice. It contributed, no doubt, in a very marked degree, to the extinction of slavery throughout the dominions of the Crown of England. His speech of six hours on the amendment of the law, was large and comprehensive in its general view, searching and elaborate in its details. The institution of the Judicial Committee of Privy Council was a most valuable result of his exertions as a law reformer. His labours regarding the endowed schools and misapplied charities of England destroyed many flagrant abuses, detected the perversion of a large amount of charitable funds, and led

the way to those further inquiries, and those remedial measures, of which we have seen the commencement in the present year, 1869, but of which the consummation is yet to come. It would be taking a narrow view to say, that large sums have been spent upon inquiries, and we have not as yet had an adequate return. Lord Brougham's speeches at the bar of the House of Lords, on the Bill of Pains and Penalties against Queen Caroline, were striking specimens of a powerful understanding; and his great speech in opening the defence was the most wonderful effort of oratory I ever heard. Nor can any one who heard him, remember with any other feelings than those of the highest admiration, his speech on the second reading of the Reform Bill in the House of Lords. The speech, which he made at the assizes, in defence of Ambrose Williams in 1821, carries satire and sarcasm to a height that may be called sublime. But his speech on the conduct of the continental powers of Europe towards Spain, a country which had been guilty of the offence of endeavouring to dispose of its own destiny, and to establish a free Government, was certainly one of his brightest flights. His allusion to the protest of the Russian Minister at Madrid, who had declared with horror, that blood had been shed in the Royal Palace, was at once a withering invective and a just condemnation of despotism. 'If I had been one of the counsellors of the Emperor of Russia,' he said, 'the last subject I would have advised my master to touch upon, would have been that of "blood shed in the Royal Palace."' The reigning Emperor of Russia was Alexander I. At the epoch of his coronation, a lady, writing from St. Petersburg, had described the ceremony in these terms:—'The Emperor entered the church preceded by the assassins of his grandfather, surrounded by the assassins of his father, and followed by his own.'

The question recurs, if such were the qualities and such the achievements of Lord Brougham, why was the Great Seal not restored to him? After one of his most striking speeches against Lord Melbourne, Lord Melbourne replied in these terms, 'My Lords, you have heard the eloquent speech of the noble and learned Lord—one of the most eloquent he ever delivered in this House—and I leave your Lordships to consider what *must be* the nature and strength of the objections which prevent any Government from availing themselves of the services of such a man.'

What then was the nature of the objections, which prevented Lord Melbourne from offering to return the Great Seal into the hands of Lord Brougham when he himself resumed office? I must say that these objections came first from Lord Melbourne, and were frankly communicated by him to Lord Brougham, before he finally decided to form an administration. In the next place, I should say that these objections could not fairly be said to imply any charge of treachery towards his chief, or his colleagues, during the former administration. He had not intrigued to undermine Lord Grey; he had willingly assented to the selection of Lord Melbourne as Prime Minister. He had not attempted to carry measures to which the Prime Minister was opposed, nor, like Lord Thurlow and Lord Loughborough, to thwart measures which the Prime Minister had approved. His faults were a recklessness of judgment, which hurried him beyond all the bounds of prudence, an omnivorous appetite for praise, a perpetual interference in matters in which he had no direct concern. This spirit of interference led him to promise his support to Mr. Canning, without any communication with Lord Althorp, and with great indiscretion to influence Lord Wellesley on the renewal of the Coercion Act, without any communication with Lord

Grey. I remember Lord Dudley saying to me, many years before this time, 'What a character Brougham would have been for the pen of Lord Clarendon. Lord Appleby (supposing he had got his peerage) was a man, who, if the solidity of his judgment had been equal to the pregnancy of his wit, would not have been surpassed in this or any other time.' This was the truth. Lord Brougham's vast powers of mind were neutralised by a want of judgment, which prevented any party from placing entire confidence in him, and by a frequent forgetfulness of what he himself had done or said but a short time before.

Lord Melbourne was a man of a very different character. His ease of manner and apparent indifference, tended to conceal the excellence of his understanding and the warmth of his feelings. He would have been ready, perhaps too ready, from the easiness of his temper, to yield to the incessant urgency of Brougham's interference. But his understanding would have condemned the concessions he had made, and his feelings of pride and shame would have made him deeply sensible to the reproach that, while nominally Prime Minister, he was adopting decisions which he could not approve, and was degraded by the very elevation upon which he apparently stood. It was for these reasons, I conceive, that many weeks before the change of Government, he resolved not to offer the Great Seal to Lord Brougham. He told me of his fixed resolution on this head many weeks before the dissolution of Sir Robert Peel's Ministry. When his resolution became known, Lord Melbourne exposed himself and his party to a charge of ingratitude to a man, whose vast powers and splendid services made him an object of general admiration. Observing as I did the characters of the two men, I thought Lord Melbourne justified in his decision, and I willingly stood by him in his difficulties. Nor did Lord Brougham ever act towards me with less

cordiality on account of the part I took. Indeed, I should have been glad to see Brougham in the Cabinet, and it could not be denied that a Liberal Ministry, deprived of the assistance of Lord Grey, Lord Althorp, and Lord Brougham, opposed by the Duke of Wellington, Lord Lyndhurst, Lord Aberdeen, Sir Robert Peel, Lord Stanley, and Sir James Graham, and resting its claims to support on the justice of its Irish policy, of which the merits were little understood, stood daily in great risk of overthrow. Yet, from April 1835 to August 1841, the Ministry stood its ground, and was able to pass measures of great importance to the public welfare. But these measures encountered much opposition, and the task was one of constant labour and anxiety. To add to the public discontent and impatience, Lord Lyndhurst contrived to induce the Peers to throw out measures which were of undoubted public utility, but had no strong breeze of popular approbation in their favour. Among the measures which owed their success to the restoration of a Liberal administration, I may mention three.

The first is the commutation of tithes. The unsettled state of this question was deeply injurious to the interests of agriculture, and to those of the Church. In many instances where waste lands might have been brought into cultivation, or the produce of cultivated lands and the supply of food to the people largely augmented, the right of the Church to appropriate a tenth of the produce, without regard to the expense of the improvement, was a positive bar to cultivation. In many other instances, the attempts of the farmer to abate the rights of the Church, and to force the clergyman to be content with a twentieth part of the produce, or even less, instead of his legal tenth, had been the source of wrangling and ill-will between the farmers and the clergymen, to the destruction of Christian charity, and of the

harmony that ought to prevail between the pastor and his flock. Pitt had attempted in vain to frame a complete measure on this subject. Peel had endeavoured to remedy the notorious evils by a voluntary commutation; but a commutation short of compulsory would have left many of the worst cases untouched, cases in which the Church had insisted unwisely upon its full rights, or a combination of farmers had determined to vex and worry a clergyman of easy disposition, till they reduced him to penury by their obstinacy and injustice. All the evils of the tithe system were the subject of fair compromise and permanent settlement by the Act of 1836. Three commissioners, two of whom were appointed by the Crown, and one by the Archbishop of Canterbury, were empowered, after examination, to proceed by certain fixed rules, to a final adjudication. In about seven years this process was completed, and a work from which Pitt had shrunk was accomplished. The progress of agriculture was freed from vexatious impediments, and the clergy were spared the unseemly contentions which had fostered ill-will and disturbed social relations.

Other questions affected religious liberty. The Church had taken possession of the Registers of Baptism, by which alone the number of births was ascertained. Marriage was legally a religious ceremony, and although by the ancient laws it was a civil contract, those who did not belong to the Church could neither be married in their own places of worship, nor in any building of a civil character, nor by any other form than that of the Establishment. So likewise, the performance of the Burial Service was confined to those who had been baptised, and there existed no civil registration of deaths. These matters were made the subject of legislation. An Act for marriages in England provided for the marriage of Protestant Dissenters, Roman Catholics, and Jews, according to their

own rites, and enacted a civil marriage in the office of a registrar for those who were contented with a civil contract only.

The speech with which I introduced this Bill, on February 12, will be found in these volumes.

The question of civil marriages raised much objection, on the part of Sir Robert Inglis in the House of Commons, and on the part of the Bishop of Exeter in the House of Lords; and although the Tory party did not generally join in the opposition, the principle is so important, that I may be excused for dilating upon it.

Generally speaking, the words of Scripture are unfairly or unwisely quoted in political controversy, but there are some words of Christ's uttered on a memorable occasion, which it is impossible for politicians to keep out of view, in the course of discussions on government and legislation. Those words are, 'Render unto Cæsar the things which are Cæsar's, and unto God the things that are God's.'[1] The immediate question was the payment of tribute; but the precept is general, and statesmen must ask themselves what things are Cæsar's, and what things are God's, or, in other words, what are the limits of the temporal and spiritual power.

The spirit of priestcraft, or, as the present age, fond of long words, call it, the spirit of sacerdotalism, has been continually engaged in extending the spiritual, and restricting the temporal, power. Time was when in England a priest who had committed murder was withheld from the civil, and claimed by a spiritual tribunal. In the same spirit, the birth of a child was not acknowledged or recorded by the State until it had undergone the rite of baptism.

Other distinctions have been made, and other usurpations attempted. Some of these have been repelled, others

[1] St. Matthew, xxii. 15.

quietly withdrawn. But there are two points upon which disputes still exist, and with regard to which what is called by diplomatists a rectification of frontiers, appears to be urgently required.

One is marriage, the other education.

The question of marriage is one that obviously concerns civil interests of the highest importance. The succession to property, to political rights of subjects and citizens, nay, the very succession to the throne, is decided, if we attend to the priesthood, according to the law of marriage which prevails in the Church. If we listen to some of the highest Roman Catholic authorities, the divorce of Napoleon I. was null and void, and the Prince whom the French call Napoleon II. must have been an illegitimate son.[1] According to the same, or still higher Roman Catholic authorities, the marriage of the Prince of Wales to Mrs. Fitz-Herbert was valid, and if that lady had had a son, he must have been considered by Roman Catholics as the true heir of the Crown of England.[2]

Thus far and thus high reaches the question whether the State or the Church is supreme in regard to the validity of marriage. Property in all its forms, legitimacy of birth in every class of society, depends on the decision.

The Marriage Bill of 1836, in contradiction to these sacerdotal authorities, considered marriage as a matter within the competence of the State, and not as part of the jurisdiction of the Church.

Sir Robert Inglis, a firm supporter of Church pretensions, said in the Committee on the Bill, 'With the single exception of the time of the great Rebellion, there was no one instance in the history of the country of marriage having been considered otherwise than as a religious

[1] See *Memoirs of Cardinal Gonsalvi.*

[2] See the statements of Mr. Langdale in *Memoirs of Mrs. Fitzherbert.* 8vo. 1856.

ceremony.' This was a solitary attempt to give a civil character to a religious contract.'

In reply to this speech, I said, 'That the great object of the Bill was to allow every person to be married according to whatever form his conscience dictated. Here were first members of the Church of England, next the dissenters, who considered marriage a religious ceremony, and preferred being married in their own chapels; the first were left in their present situation, the second were permitted to carry their wishes into effect. There were other classes of dissenters who considered marriage not a religious but a civil ceremony. Taking the broad principle of religious liberty, I felt that we were bound to provide for all these classes; I did not think that the House had a right to tell one class of men that their scruples were just and reasonable, and to reject all regard for those of others. If the bill were carried with that clause, I entertained no doubt but that ninety-nine marriages out of one hundred would still be considered as religious ceremonies. Although the number of marriages celebrated upon any other principle might be few, the principle was a great one, and we were bound to maintain it.'

In the House of Lords, the Bishop of Exeter spoke on behalf of the Church, and thus shortly summed up his objections:—'This bill in his opinion went the length of inviting the members of the Church of England to contract marriage without any religious ceremony, and that was a principle he hoped the legislature never would adopt. By this Bill parties would be able to contract marriage without uttering a syllable as to the nature of the contract, beyond that they desired to live together as man and wife. They would not even be obliged to say that it was a contract for life, notwithstanding it was a contract of the most solemn and binding description. The only period in the history of this country at which a similar attempt was

made was during the time of the usurpation; but, although marriage might *then* be contracted before a magistrate, a strictly solemn and religious *formula* was enjoined. Here, however, the contract was to be purely civil, and attended with no greater solemnities than would be required for a contract entered into between parties for mere service. He must insist that a contract so sacred and indissoluble should be accompanied with suitable solemnities, and, unless this were done, no earthly inducement could prevail with him to allow the measure to progress another stage without opposing it.'

Although much was done by the act of 1836, I stated, when the Bill was returned to the Commons, that I accepted the amendments of the Lords, on account of the great principle they admitted, but not as a final settlement of the question.'[1] In France and Italy, by the prevailing laws of these countries, the civil marriage is alone recognised, and alone gives the right of succession. In the United Kingdom various laws prevail. The pretensions of the clergy were got rid of by the Act of 1836, so far as England is concerned. But in Scotland and Ireland the law is still very uncertain, and Sir Roundell Palmer has wisely proposed, in a very clear and able speech, that there shall be one uniform law for the United Kingdom. It will be matter for consideration whether the future law, instead of recognising the marriage registers of every Christian communion, and every Jewish synagogue, should not be founded on the same principle as the law of France and Italy, constituting civil marriage the only bond recognised by the State, and leaving to the parties concerned to add any religious ceremony or ceremonies they may think proper.

Upon this subject I should have liked to listen to the

[1] Hansard's *Debates*, vol. xxxv. p. 1305.

opinions of the Lord Chancellor of Ireland, and the Lord Justice-General of Scotland; but, as Lord Malmesbury will not admit life Peers into the House of Lords, I fear we have no chance of hearing the voices of those eminent and learned persons in that assembly.

Still I hope, although we have no promise from the Government to that effect, that a Bill on marriage will be introduced by them during the next session. I trust, above all, that Sir Roundell Palmer will not lose sight of this great matter, so worthy of his large capacity and undoubted zeal for the public welfare.

On the subject of Education, the Church of England has not been slow to follow the traces of the Church of Rome by an attempt to monopolise the question.

In 1807 the British and Foreign School commenced its work, with the flag of 'Schools for all!' The Established Church pronounced at first the opinion that the children of the poor should not go to school at all; but, finding that George III. had expressed a wish that every child in his dominions should be able to read the Bible; that the Duke of Kent, the Duke of Bedford, and others were promoters of the British schools, and that the national opinion was favourable to education, changed its ground, and in 1809 set up the National Society on a narrow and exclusive principle.

In 1832 Lord Brougham induced the Government to propose a vote of 10,000*l.* each, to the National and British and Foreign School Societies.

In 1839, with Her Majesty's sanction, I wrote a letter to Lord Lansdowne, President of the Council, proposing a scheme of National Education. The principles I laid down were that 'the youth of the kingdom should be religiously brought up,' and that 'the rights of conscience should be respected.'

These last words raised a storm. Mr. Stanley quoted,

in a great speech, a dictum of Henry IV. only four centuries old, assuming for the Church the monopoly of Education. The Archbishop of Canterbury carried, in the House of Lords, an address adverse to our unhallowed scheme. The grant proposed was only carried in the House of Commons by a majority of two.

In these circumstances Lord Lansdowne and I met the Archbishop of Canterbury (Dr. Howley), the Bishop of London (Dr. Blomfield), and the Bishop of Salisbury, (Dr. Denison), and agreed to a compromise.

Inspection, which Lord Lansdowne especially insisted upon, was to be conducted in the schools of the National Society, by inspectors in the appointment of whom the Bishops were to concur, and whose reports, comprising religious as well as secular instruction, were to be communicated to the bishop of the diocese, as well as to the Committee of the Privy Council. Tuition in British schools, and in Protestant Dissenting and Roman Catholic schools, was likewise to be subjected to inspection, but only so far as regarded secular teaching.

This arrangement, in which, with Lord Lansdowne, I was glad to concur, has no doubt done much to promote education, and to dispel the darkness of ignorance, but as a plan of National Education it left much to be desired.

In the first place, it was evident that where education was most wanted, least would be given. Where the landowners were rich and public-spirited, where the clergy were zealous, and the farmers generous, these schools would flourish. But where landowners and farmers would give no encouragement, schools would be altogether wanting, or miserably constructed.

Then, again, where Dissenters existed, but were not numerous enough to keep a school of their own, the clergy would exclude the Baptist, the Independent, and the Unitarian. The British schools where Christianity

is taught, pure and simple, are sure to be distasteful to the Church of England, to the Church of Rome, and to sectarian zealots of all denominations.

It was not easy to supply these deficiencies; and indeed I never considered the plan otherwise than as a step in the education of the people, to be completed when the tide of public opinion should set more strongly in favour of National Education.

The Duke of Newcastle's commission has done much to open the way to a National plan. Their scheme, if adopted on the basis, that every county should be divided into separate districts, that every district should be bound to furnish an adequate number of schools, on a scale to be fixed by Parliament; that if supported by rates, the ratepayers should decide on the religious instruction to be given, or if they preferred it, give a secular character to the school; and, lastly, that when any religious instruction is given, it should be either in the first or the last hour of school attendance, and that during the hour of religious instruction every parent should be at liberty to withdraw his children, by a strictly defined conscience clause,—might form the outline of a plan of National Education.

With a compulsory provision for the building of schools, I should not be disposed to insist on the compulsory attendance of children. It will probably be expedient to impose a fine upon employers who have in their service boys or girls between twelve and eighteen years of age, who cannot read and write; but this power must be used with great moderation. English farmers are gradually becoming enlightened, but have still a long way to go before they are on a level with the farmers of Scotland, or the artisans of our great towns.

It is, in fact, from the great towns that light must proceed. From them was spread the knowledge of

Christianity, from them proceeded the revival of letters, from them has been derived reform of Parliament and free trade.

I have elsewhere given the reasons which induced the Government to abandon, in 1838, what was called the appropriation clause. The public mind of Ireland, guided by O'Connell, wished to go much farther; the public mind of England and Scotland, having neither knowledge of Ireland nor sympathy with its inhabitants, was not prepared to go so far. But, in giving up the appropriation clause, the Government not only maintained a just administration in Ireland, for which Burke had written in vain, but had passed through Parliament a settlement of the Irish tithes, for which Grattan had so long and so fruitlessly laboured.

In 1806, the Duke of Bedford, then Lord Lieutenant, directed Mr. Ponsonby, the Chancellor, Mr. William Elliot, the Chief Secretary, and Mr. Grattan, to prepare a measure for the commutation of tithes. They proposed to give the Church a compensation for the tithe of agistment, which had been abolished without any regard to justice, by the Irish Parliament. The plan was transmitted to England, but the Ministry soon after resigned, and the Government which succeeded them was not prepared to do justice, either to the people as against the Church, or to the Church as against the landlords. Ireland was again given up to that monopolising minority who, by intolerance, corruption and oppression kept her in a miserable subjection.

I may take this opportunity of considering the state in which Ireland was left by the Government, when the appropriation clause was abandoned. I need say nothing here of the administration; that subject is treated in the speech of 1839, when I proposed a vote of confidence in the administration, so far as Ireland was concerned.

Any one who will read the descriptions given of Ireland by Burke, by Bishop Doyle, by Grattan, by Ponsonby, and by Plunkett, before the Union, will find in them a picture of 'a country ill-governed, and a government ill-obeyed.'[1] The system of intolerance and corruption there described prevailed from the period of the Union till 1806, and from 1807 till 1830. Lord Grey then undertook the double task of putting down sedition and inaugurating justice.

The importance of the law abolishing tithes and substituting a rent charge in its place, met with so general a concurrence from all parties in Parliament, that, as usually happens in such cases, its importance was very much overlooked. It is extraordinary that Mr. Bright, who has spoken with so much force and eloquence on the Irish Church, and who has devoted so much study to Irish affairs, has not even enumerated, among the measures of importance to the welfare of Ireland, which have been passed during the last fifty years, the act of 1838. Yet if he, or anyone else will look to Grattan's speeches made before the Union, and the speeches made in 1832–33, on the subject of tithes, he will see how deeply the people of Ireland were tormented and the whole course of peaceable government disturbed by the collection of tithe in kind.[2] Any one who will read this part of the history of Ireland will see that a measure which changed the collection of tithes from a question between tithe-proctor and peasant, into a question between landlord and tenant, with a percentage of twenty-five per cent to the landlord for the cost and

[1] Grattan.

[2] See especially Mr. Grattan's *Speeches*, vol. ii. March 13, 1787; February 14, 1788; April 14, 1788; May 8, 1789. See also the debates on the outrages that took place, and on the blood that was shed in Ireland on the subject of tithes from 1832 to 1835.

trouble of collection, and thereby put an end to all the oppression, all the ill-will, and all the bloodshed of former contests, was one of immense value to the whole body of small occupiers in Ireland. No measure has tended more to the peaceful progress of Ireland than the Tithe Act of 1838.

The legislation of that year, however, taken together with the Catholic Relief Act of 1829, the abolition of the Church Cess by the Church Temporalities Act, and the Poor Law of 1838, left three subjects of immense importance for future consideration.

The first of these was the Established Church of Ireland. Every author who has written on the subject of Church Establishments, has taken for granted that where a Church has to be established by the State, it should be the Church of the people, and that the Irish Established Church never was, never had been, and so long as it was established never could be, the Church of the people.

It has been said, blinking the question in dispute, that the clergy of the Established Church of Ireland taught religious truth, that they were a respectable body of men, that they were well educated, and that they were kind and charitable to their neighbours, whether Catholic or Protestant.

These arguments put me in mind of a story told at some length, in verse, by Dr. Herbert, afterwards Dean of Manchester. He relates how a traveller, hospitably received by a friend, lays it down as an incontrovertible maxim that that which is excellent *per se* can never be misplaced. His host does not dispute the maxim, but at supper places upon the table a plate of salted cherries. When his friend makes a wry face at the nauseous mixture, his host tells him that his maxim is thus refuted.

So it was with the Established Church in Ireland. The English fruit was wholesome, the Irish salt was

pungent, but the fruit and the salt together made a most unpalatable dessert.

Happily this whole mischief has been abated by the Act of 1869. Although many supplementary provisions may be required, the main principle of that Act will remain a permanent benefit to the people of Ireland.

The Minister who brought forward, and carried a Bill to disestablish and disendow the Protestant Church of Ireland, had to put forth all his strength in bearing so heavy a weight upon his shoulders. He had to unite in one phalanx the old Liberal party, who wished to maintain the Church of England; the Voluntaries, who wished to destroy all Church Establishments; the nominees of the Irish Priests, who wished to compensate to the Church of Rome in Ireland for what she has lost in Italy and in Spain; and the representatives of the stern Presbyterians of Scotland, who, in the words of an anonymous letter which I received from Glasgow, thought that the Church of Scotland was God's truth, and the Church of Rome was the Devil's lie.

To combine these parties, so as to gain and to keep a majority of 126 in favour of the measure, and at the same time not to depart from justice, but even to give an appearance of equity to the proposals of the Government, was a task of unparalleled difficulty; those who have long been convinced of the iniquity of maintaining a Church Establishment for a minority, must be grateful to the able Minister who achieved a success so speedy and so complete.

But we must not be surprised if the wants of Ireland have been in a great degree overlooked; if the hatred entertained by a large proportion of the Low Church, of the Protestant dissenters of England, and of the Presbyterians of Scotland, whether endowed or seceding, against the Pope and the Church of Rome, should have been allowed

to prevail over both policy and equity, rather than incur any risk of seeing the majority divided and disbanded.

Moderate men ought to rejoice that the words of the preamble, so threatening to the Church of England, upon which the Liberation Society appeared at one time disposed to insist, have been expunged at the desire of a majority of seventy-eight in the House of Lords, and that the disposition of the surplus in all future times, instead of being employed in the degradation of the Irish people, has been reserved at the suggestion of Lord Cairns. It is a valuable treasure rescued from the wreck. It is said by desponding Protestants that the Free Protestant Church of Ireland cannot flourish; that the Roman Catholic priest has in his armoury weapons more potent than any which his Protestant adversary can wield; that by absolution he can relieve from thousands of years of flames and torture, those among the departed whom his penitent most loved in life, whom he fondly cherishes beyond the tomb.

But this is entirely to mistake the strength, and forego the true arms of Protestantism.

If, indeed, the Protestant clergy rely on a faint copy of the doctrine of the Roman Catholic real presence,—if they rely on candles and incense, fine music and gaudy vestments, then indeed their Protestantism is, what Mr. Sheil called it, Popery with a bar sinister. Such an imitation can never compete successfully with the legitimate Roman Church. The Queen of England might as well order her army to fight the Chinese with gingals and tomtoms, or President Grant send his troops against the Indians armed with bows and arrows.

The strength of the Reformation lies in a totally different direction. Shakespeare has pointed out the true source of Protestant power—

> Sure he that made us of such large discourse,
> Looking before and after, gave us not
> Such capability and god-like reason
> To fust in us unused.

It is because men feel that their 'capability and god-like reason' is not given to fust in them 'unused,' that they endeavour to find out what they ought to think and to believe on the most deeply interesting of all subjects. Hence the right of private judgment, hence the Bible of Wicliffe, and the Bible of Luther, and the Bible of Great Britain. Hence, men throw aside the pseudo-popery of Oxford, with the time-hallowed Popery of Rome; hence they reject the allurements of splendid churches, gilded vestments, soft music, and all that can entrance the senses; hence they seek in the words of Christ, of St. Peter, and St. Paul, and St. John, the true spiritual food of their souls, and leave below them the mists of theology and the stars of earthly splendour.

It is in such a spirit that the Protestant Church of Ireland must act; it is with such weapons that she will prevail.

Archbishop Murray said, 'Let the children of Ireland read the Bible, and then I am sure they will be Catholics.' Archbishop Whateley said:—'Let the children of Ireland read the Bible, and then I am sure they will be Protestants.' I admire the bold and confident spirit in which these two prelates proved the sincerity of their faith.

The Roman Catholic Church of Ireland has unfortunately sadly fallen off from the confidence of Archbishop Murray. It is now considered dangerous that a Roman Catholic child should be made aware that there are Protestant children in the land, that he should play with them, talk with them, learn arithmetic with them, be on friendly terms with them, or consider them otherwise than as outcasts from heaven.

A better prescription for sowing hatred and ill-will between Catholics and Protestants in Ireland cannot well be imagined. But let us reflect a moment on this proposal.

Before the Church of Ireland was disestablished, it was usual, natural, and even right, for Liberals to look upon the claims of Roman Catholics with some degree of partiality, and to make concessions, both as to men and measures, with a view to redress the balance which Protestant ascendancy so greatly disturbed.

But Liberal Protestants have now a right to be strictly just, and to grant to the Roman Church no more than that Church can fairly claim.

The two principal questions which remain for consideration are, that of National Education, and that of the Land.

In considering Irish education, a very large question arises, which must not be permitted to slip through Parliament without being handled, weighed and examined.

For two centuries after the death of Julius Cæsar, writers of great ability and eloquence endeavoured to teach morality to the senate and people of Rome. The old gods, who had never, either by precept or example, encouraged a strict observance of morals, had lost their authority. The god of Epicurus was

> A jolly god, who left mankind alone;
> Who unconcerned could at rebellion sit,
> And wink at crimes he did himself commit.

In place of divine rulers, Cicero, Seneca and Marcus Aurelius endeavoured, by elegant exhortations and pungent sentences to inculcate morality. Their influence in reforming manners was scarcely perceptible.[1] A more dissolute society than that of Rome could not well be. The philosophers had entirely failed to improve the morals of the Roman Empire.

After the death of Jesus Christ upon the Cross, a new society arose.

Pliny, the Proconsul of Trajan in Bythinia, informs the

[1] See Lecky's admirable *History of European Morals*, from Augustus to Charlemagne, vol. i.

Emperor of the existence of a sect called Christians, and asks for his instructions. He states that this sect having been denounced to him, he had taken pains to ascertain their doctrines and their conduct. They admitted that they sung early in the morning a hymn to Christ as to a God, but they affirmed that their teaching was innocent and irreproachable. They taught the members of their society to refrain from theft, from robbery, and from adultery; to act with punctual good faith to their neighbours, and to restore scrupulously to its owner any property confided to their care.

Two maid servants who belonged to the society, and who, like Rhoda in the Acts of the Apostles, waited upon them, were put to the torture by Pliny, but nothing further was extracted from those noble-hearted damsels. Pliny thereupon, desired the Christian culprits to worship the Emperor, and to curse Christ. Those who did so were dismissed; those who refused he ordered to be led to execution.[1]

The Emperor Trajan approved of what had been done, but desired that no search for Christians should be made, and that they should only be punished when duly convicted of worshipping Christ, and of refusing to adore the Divinity of the Emperor.

From the time of this remarkable story, morality has been connected with religion. Christianity has been persecuted, and persecutor; has been perverted and corrupted. Alva put to death his thousands; Cranmer consigned to the flames a maiden guilty of some error in theology; Calvin burnt Servetus, and defended the thesis that errors in belief ought to be punished by the civil magistrate; Presbyterians have been oppressed in the Old World, and have been oppressors in the New; but in spite of all

[1] See note B., Appendix.

alterations of fortune, in spite of wickedness in high places, amid the affliction of the good, and the triumph of the bad, the divorce of religion and morality has never taken place.

When, therefore, a State declares that none of its funds shall be allotted to religious teaching, it says in effect that which, as long as it is a Christian State, is absurd and contradictory.

In Ireland, religious teaching cannot be given by an Established Church. The Church of a minority cannot teach the mass of the people; the Church of the majority cannot by popular judgment be allowed endowments even concurrently with the Churches of Episcopal and Presbyterian Protestants. Mr. Grattan said, 'I love the Protestants; I love the Catholics; I love the Presbyterians, and my affection only abates when the members of those communions hate each other.' Mr. Grattan might have added, with St. Paul, 'and I will very gladly spend and be spent for you; though the more abundantly I love you, the less I be loved.'[1]

Grattan also said, more than seventy years ago, that as the Roman Catholic priests must be the teachers of the people, he wished them to be well-informed; and as the classes from which the priesthood were drawn, were not usually able to afford a good education for their sons, he thought it would be wise to found a college for their instruction. Hence the college of Maynooth.

Some men think we have grown wiser since those dark ages; of Grattan and of Burke, of Fox and Pitt.

Yet I confess I still cling to their notions, and those of their predecessors. I cannot admit that a country where, in the case of a murder, the sympathy of the people is with the murderer, and not with the sorrowing family and friends of the murdered man, there is no need that the

[1] 1 Corinthians, ch. xii.

State should assist and promote the 'teaching of religion.'

Yielding, however, to the sense of Parliament, that there can be no endowment of the Roman Catholic Church, and that even concurrent endowment is hopeless and impracticable, it may be permitted me to enquire whether the doctrines of Christianity cannot be imparted to the young by a School Establishment, founded on the system at present in force.

The object and fundamental principle of the system of National Education in Ireland, is thus officially stated :—

1. The object of the system of National Education, is to afford *combined* literary and moral, and *separate* religious instruction, to children of all persuasions, as far as possible, in the same school, upon the fundamental principle, that no attempt shall be made to interfere with the peculiar religious tenets of any description of Christian pupils.

Next, as to the description of schools.

2. The schools to which the Commissioners grant aid, are divided into two classes, viz. :—1st, Vested Schools, of which there are two sorts, namely, first, those vested in the Commissioners; and second, those vested in trustees, for the purpose of being maintained as National Schools. 2nd, Non-Vested Schools, the property of private individuals. Both these classes of schools are under the control of local patrons or managers.

The rules for Religious and Secular Instruction are thus stated :—

1. Opportunities are to be afforded (as hereinafter provided for), to the children of all National Schools for receiving such religious instruction as their parents or guardians approve.

2. Religious instruction must be so arranged, that each school shall be open to children of all communions; that due regard be had to parental right and authority; that,

accordingly, no child be *compelled* to receive, or to be present at any religious instruction, of which his parents or guardians disapprove; and that the time for giving it be so fixed, that no child shall be thereby, in effect, excluded, directly or indirectly, from the other advantages which the school affords.

3. A public notification of the times for religious instruction must be inserted in large letters, in the 'Time Table,' supplied by the Commissioners, who recommend that, as far as may be practicable, the general nature of such religious instruction be also stated therein.

* * * * * *

The reading of the Scriptures, either in the Protestant Authorised, or Douay Version—the teaching of catechisms,—public prayer,—and all other religious exercises, come within the rules as to religious instruction.

Religious instruction, prayer, and all other religious exercises, may take place at any time, before and after the ordinary school business (during which all children, of whatever denomination they may be, are required to attend), but must not take place *at more than one intermediate* time, between the commencement and the close of the ordinary school business. The Commissioners, however, will not sanction any arrangement for religious instruction, prayer, or other religious exercises *at an intermediate time,* in cases where it shall appear to them that such arrangement will interfere with the usefulness of the school, by preventing children of any religious denomination from availing themselves of its advantages, or by subjecting those in attendance to any practical inconvenience.

The following note to the 13th rule is of great importance:—

Note.—The Commissioners earnestly recommend that religious instruction shall take place either immediately

before the commencement, or immediately after the close, of the ordinary school business; and they farther recommend that, whenever the patron or manager thinks fit to have religious instruction at an intermediate time, a separate apartment shall (when practicable) be provided for the reception of those children whose parents or guardians may disapprove of their being present thereat.

It may be here observed that these rules are far more full and more complete than the Conscience Clause of the Committee of Privy Council in England.

The managers or teachers of a National School in England might so arrange and intermingle the secular and religious instruction as to give the parents no choice, but either to leave their children in school during the hours of religious instruction, or to lose their lessons of secular instruction. This, it will be said, is not a probable occurrence; but, as such cases do happen, it is well to guard against it.

With regard to management, the rules of the Irish National Board direct that

1. The local government of the National Schools is vested in the local patrons thereof.

The Rules go on to declare that the person who first applies to place the school in connection with the Board becomes, unless otherwise specified in the application, the local patron; that the patron has the right to nominate any fit person to act in his place as the 'local manager;' that when a school is vested in trustees, they have the right to nominate the local manager.

The 12th Clause, in regard to management, is of great importance. It provides as follows:—

'The local patrons (or managers) of schools have the right of appointing the teachers, subject to the approval of the Board as to character and general qualifications; the local patron (or managers) have also the power of removing the teachers of their own authority.'

This rule gives a vast power to the local patrons or managers; the landlord or clergyman of the Episcopal Church, the Presbyterian manager, or, more frequently, the parish priest.

Observe that the salaries of the teachers of the ordinary National Schools are miserably small. In 1865, the principal teachers of the 2nd division of the 3rd class received, men, 18*l.*; women, 16*l.*; or, in other words, the men little more than seven, and the women little over six, shillings a-week. Men and women thus poorly rewarded for the devotion of their whole time to teaching, are, of course, wholly dependent on the local manager, who can dismiss them at pleasure. If the parish priest happen to be that local manager, and, if he find the teacher deviating into broad Christian principle, or rising to the higher regions of science, he may dismiss the teacher or schoolmistress at once to poverty and destitution.

But Cardinal Cullen and his colleagues are not satisfied with this degree of denominational exclusiveness.

There are mixed schools, which are attended by 24,000 Protestant children in various proportions; in some ten, in some five, in some one or two.

In many of these schools, images of the Virgin Mary and of Saints are enclosed in cases, or closets, and only exhibited at the hours of religious instruction. The Roman Catholic bishops require that these images should be exhibited at all hours, with a view, no doubt, to induce the Protestant children to pay their reverence and devotion to Roman Catholic Saints. They require also, that Protestant teachers should not be permitted to teach reading and writing, arithmetic and geography, in schools where the pupils are altogether, or mainly Roman Catholic. And this in schools where, according to the Report of 1865, of 303,723*l.* 11*s.* 9*d.*, received by the teaching staff of the schools, only 16.95 per cent. were locally provided,

while 83.05 per cent. were provided by the State. Is not this too much for the priesthood to ask?

Parliament may consistently give large sums for National Schools in England, where a religion defined by the Church in Convocation, adopted by the State, and confined within bounds, approved by Parliament, and interpreted by judges named by the Crown, is taught at the expense, partly of the State, and partly of local subscribers. But the Roman Catholic prelates require that the State should furnish 83 per cent. of the salaries of teachers, the majority of whom will be constrained by the priests to stigmatise Protestants as rebels to divine authority and objects of divine wrath; perhaps to teach that William III. had no right to the Throne, and that his successor is a usurper. Surely the House of Commons of the United Kingdom can never sanction such a scheme!

The system of National Education in Ireland, introduced by the Government in 1831, under the sanction of Lord Grey, by the instrumentality of Mr. Stanley, and with the co-operation of Archbishop Whately, was no branch of the poisonous tree of Protestant ascendancy. Its object and intention was to unite the Protestant Episcopalian, the Roman Catholic and the Presbyterian, in one scheme of secular and religious instruction; to leave religious teaching free; to respect the rights of conscience, and to persuade all communions to live in harmony and peace.

The principle of the National School system is, we may conclude, one befitting the State, which is bound to provide instruction, not for the children of one church, or one sect only, but for all. But it is open to the following objections:—

1. In the non-vested schools, the Roman Catholic parish priest is frequently the patron, and holds the schoolmaster in very servile subjection. A very efficient schoolmaster, popular with the scholars, may be dismissed

at will, if he does not follow the directions of the priest.

2. The schoolmasters and schoolmistresses are divided into three classes.

The payment of the third class, as already stated, is very inadequate.

Having no dwelling-house, and often a very wretched school-house, their teaching is much disturbed and restrained by physical wants and inadequate means.

The remedies for these deficiencies are not far to seek.

The schoolmasters and schoolmistresses should be more liberally paid. They should have small, but comfortable dwelling-houses, and adequate school-houses, built and repaired by the Board. They should be independent of the caprice of the patron, and not liable to be removed without the consent of the Board.

With these changes, and 400,000*l.* provided by Parliament, for twenty years to come, a well-educated generation would form the majority of the Irish people.

I am almost afraid to avow that I prefer the simple words of Christ to any dogmatic interpretation of them, whether taught by the Pope, by Luther, or by Calvin. If I am in error in this respect, I am in error with Dr. Arnold, with Dean Milman, and with still higher authorities.

The Pope, who was called upon to judge between Fénélon and Bossuet, said, Fénélon has erred by having too much of the love of God; Bossuet, by having too little of the love of his neighbour. I prefer the error of Fénélon to that of Bossuet. Nay, more, I think that the spirit of the Christian religion is to be found, not in dogma, but in reverence to God, and love of our neighbour. In my opinion Fénélon and Tillotson were better Christians than Bossuet and Laud. Men have endeavoured to ascertain by metaphysical research, whether the Son is of

the same substance as the Father, whether the Holy Ghost proceeds from the Father only, or from the Father and the Son. These are subjects upon which men may differ, and yet respect one another.

But there are matters of infinite importance, upon which the words of Christ are plain to all understandings.

He taught his disciples to love one another. He taught them to pray to God to forgive us our trespasses, as we forgive them that trespass against us.[1] He taught that when the traveller was robbed and wounded, it was not the priest, nor the Levite, but the heterodox Samaritan who relieved him. He pointed out that the Samaritan was the neighbour of the wounded man. He said, 'Let those who love me obey my commandments.'

Those commandments were not dogmatical definitions of the nature of God, but practical and clear expositions of great truths.

Let us teach these great truths to the people of Ireland, and we may hope that they will cease to applaud murder and consider pillage as the essence of religion.

In wishing to see Christianity thus taught, whether by Protestant or Roman Catholic teachers, I may be accused of wishing to promote 'indiscriminate endowment.'

Be it so; I know that tares must be mingled with the wheat, and I am willing, like our Great Master, to see them both grow together till the harvest. God, who has neither our imperfect vision, nor our limited charity, will punish the obstinate reprobate and forgive the repentant sinner.

Let us now take stock, and compute what means will remain to Parliament, if they should hereafter deter-

[1] Singularly enough, our Church Catechism, in its paraphrase of the Lord's Prayer, omits this great lesson, and inserts a passage which has no counterpart in that divine prayer.

mine to consider, in an impartial spirit, the welfare of Ireland as part of the United Kingdom.

1. A surplus, which we may fairly take at six millions, remaining from Church property, after discharging all the life interests and commutations charged upon it by the Act of 1869.

2. A yearly grant, which has of late amounted to from 300,000*l.* to 360,000*l.* on an average, voted by Parliament for National Education in Ireland.

The surplus of the late Established Church has been increased, we are told, on authority, by a sum of 4,000,000*l.*, derived from the credit of the Exchequer. This sum is, according to the Irish Church Act, to be applied 'mainly' to the relief of 'unavoidable calamity.'

Never were 4,000,000*l.* so recklessly thrown away.

The application of public or local taxes to the relief of absolute destitution, whether of the old and infirm, the sick or the lame, the blind or the insane, may well be defended against Dr. Chalmers and other writers of great authority.

But when the State gives relief for physical or mental disease to those who are able to pay for their medical care, or who have relations and friends of sufficient means to help them, the State does a great mischief. Imposture is promoted to a large extent; the charitable zeal of relations and neighbours is dried up; a great rush is made on the public funds, and the overwhelmed taxpayer, scarcely able to meet the demands of the collector by unremitting industry, sinks under the weight of the fraudulent mendicant and insane drunkard.

Yet such is the character of many of those objects of charity, who are sufferers from what is called in the late Act of Parliament 'unavoidable calamity.'

Let us at all events take care to substitute the term 'partly' for the term 'mainly.' Otherwise Roman Catholic

charities will absorb and misapply the whole of the funds which the wisdom of Lord Cairns has saved from dilapidation.

In the 'Report of the Commissioners of National Education in Ireland for 1865,' called the Thirty-second Report, we have an account of the number of children on the rolls for the year ending December 31, 1865. They amounted to 922,084. The total number of schools in operation was 6,372. The calculation made by estimate of the number of children of various denominations for the entire year, gives the following results :—

Established Church	61,492	Total 922,084.
Roman Catholics	752,328	
Presbyterians	101,616	
Other Persuasions	6,648	

The following list contains the names of the Commissioners of National Education in Ireland : —

Rt. Hon. Lord Bellew.	Rt. Hon. Lord Chief Justice, Common Pleas (Monaham).
Rev. Dr. Henry, President, Queen's College, Belfast.	Rt. Hon. Lord Chief Baron (Pigot).
Rt. Hon. Alexander Macdonnell.	Rt. Hon. the Attorney General (Lawson).
The Marquess of Kildare.	Rev. John Hall, D.D.
Rt. Hon. the Lord Chancellor (Brady).	Laurence Waldron, Esq.
James Gibson, Esq.	John Lentaigne, Esq.
The Lord Bishop of Derry and Raphoe.	John O'Hagen, Esq. Q.C.
Hon. Judge Longfield.	Hon. Thomas Preston, D.L.
Rt. Hon. Mr. Justice O'Hagan.	Rt. Hon. Mr. Justice Fitzgerald.
Rt. Hon. the Earl of Dunraven.	James William Murland, Esq.

The then Lord Chancellor (Brady) has since that time ceased to be so : and that office is now held by Mr. Justice O'Hagan. But both these learned persons remain Commissioners of National Education. It is said that the Board have relied on returns often inaccurate. But these errors will not affect the general result.

The funds for education are so fairly applied in Ulster, that the proportion of Roman Catholics to Protestants in the Population Returns, and the proportion of Roman

Catholics to Protestants in the National Schools, are nearly identical.

Let us then supply the want of a National Church Establishment by a National School Establishment, of the benefits of which all communions, Protestant and Catholic, may partake.

The 360,000*l.* of tithe rent charge, instead of being given up to the landlords, after fifty-two years, might well be maintained as a provision for National Education. Thus a great question will be solved, and a large sum appropriated for Irish purposes.

I now approach the important and critical question of the Land Tenure of Ireland. The evils of the present law of landlord and tenant are much complained of, and great oppression is in some cases exercised. Two kinds of remedies have been proposed. The first kind consists of proposals to remedy practical abuses, to favour tenures of thirty-one years, to oblige the landlord to compensate to the tenant for all the practical improvements he has made, and to pay for the value of the house he has erected. The other class is of a far different kind; it takes for granted that all which has been done for the last seven hundred years is usurpation and tyranny; that, consequently, the acts of Elizabeth, of James I., of Charles II., and of George I. are null and void. These plans, therefore, would give the land to the occupier, and restore that state of possession by the strongest which prevailed before the Norman Conquest. The object, however disguised, is in fact to drive out all Protestant owners, and to put an end to British rule in Ireland. I need not say that, in my opinion, the first class of remedies, when properly defined and justly applied, ought to be cordially adopted, and the latter class peremptorily rejected. Every indication favours the conclusion that Government will act with temper and wisdom.

Lord Hartington says:—

'It is not only the property of Irish landlords which is at stake, it is not only the property of English landlords, but it is property of all kinds which will be at stake.' Lord Clarendon has spoken firmly and judiciously, both as to the wrongs of the tenants, and the rights of the landlords. In fine, unless the Government and the House of Commons should adopt some of the revolutionary plans of the Irish newspapers, property of all kinds will not be at stake. I quite admit that if Irish landlords are robbed of their property, no other kind of property will be safe; but no man of sense imagines that the Government will be wild enough to propose such a robbery, or the House of Commons unprincipled enough to sanction it.

Supposing, however, the Government to confine itself, as Lord Spencer intimated, to what is practicable, the task is still difficult, though far from being impossible.

Guicciardini, an experienced politician and an accurate historian, says that statesmen commit no greater mistakes than when they apply a successful precedent to circumstances of a different nature.

There is much danger of such a mistake in Ireland. In the north of Ireland, tenant-right is the established custom. Lord Granard and others say, 'Let us transfer the custom of the north to the south of Ireland. It is successful in the north, therefore it will be successful in the south.'

But stop a moment. Ulster was colonised by the Scotch. We are told, on good authority, that the Irish were not sufficiently industrious, and the English not sufficiently used to hard fare and poor dwellings to make good colonists. The Scotch were accustomed to work hard and to fare hard; they improved the soil, they built fit dwellings; one Scotch tenant succeeding another, came into the occupation of land well cultivated, and farm-

buildings stored with corn and implements. He could, therefore, afford to pay the outgoing tenant for the good-will as well as a shopkeeper coming to succeed a successful tradesman in Bond Street or in Regent Street.

But shall we transfer this custom of Ulster to Munster and Connaught? In the first place, although it may be equitable to sanction by law a custom established for generations, it is by no means equitable to introduce compulsory copyhold where tenancy from year to year has been the general custom.

In the next place, tenant-right may be practically a custom quite unfitted for Kerry or Cork. A tenant may have left his marshy land undrained; his fences full of gaps, by which his cattle, tired of the sour grass of the meadow, may break into the field of oats; his farm-buildings may be ruinous; his implements broken and antiquated. Still a farmer, eager to hold land, may pay a few pounds for the occupation, and he may go on, leaving the marshes undrained, the ploughs broken, the fences full of gaps. Is the landlord to be bound to respect the tenant-right of the thriftless lazy occupier? Is such a man to be compared to the active industrious tenant of Ulster? Because a custom succeeds with the landlords and tenants in Ulster, is it to be made compulsory in Cork and Kerry? This were to adopt the practice of workmen upon strike, when they insist that the man whose labour is worth to the master 9*s.* a week, should have the same wages as a man whose work is worth 30*s.* a week. Yet such is, if I understand it, the principle adopted by Mr. Butt as the flag of a great national movement.

An illustration occurs to me. Some persons wonder how it is that since the Italians have obtained independence and freedom, the crime of assassination is still so common.

The answer is that habits and usages transmitted from father to son by a race naturally excitable, impetuous, and improvident, are not rooted out by the best constitution that can be written upon parchment. Lord Holland, when he was asked by Murat, then King of Naples, to furnish him with a constitution, replied in effect, 'You might as well ask me to build a tree.'

A gentleman who acted as Procurator-General at Rome when the First Napoleon assumed the Government, informed me that in one year there were reported to him 2,000 cases of assassination! that term comprehending in Italian phrase, cases of killing, maiming, cutting, and wounding with intent, &c. It is well-known that the Papal Government punished severely men who ate a chicken on a Friday, but were very lenient to robbers, brigands, and assassins.

Does any one expect such habits to be changed in a year, or in twenty years? The saying that 'Rome was not built in a day' and other similar proverbs show that the popular mind is not so unreasonable as political speculation.

Another illustration occurs. In the sixteenth century the Spaniards brought from Peru heaps of gold and silver. Spain declined. Men of grave authority said, 'See how the importation of gold and silver ruins a country.' In the nineteenth century, the United States discovered in California, and Great Britain in Australia, immense quantities of gold. The United States flourished, Great Britain flourished; California and Australia rose to unheard-of prosperity. How could this be? Historians had forgotten to mention that Spain imported in the sixteenth century not only gold and silver, but political and religious despotism. Spaniards, no longer free, became, as Homer says, only half men. Thus it appears, as our grandsires tell us, that 'one man's meat is another

man's poison.' Thus it may happen that what makes Ulster rich may make Munster poorer than before.

The difference in the price of land in the county of Down, where it fetches thirty years' purchase, and in the county of Kerry, where it scarcely reaches twenty-five, shows the effect, not of tenant-right, but of habits of order and industry on the one side, laziness and improvidence on the other.

The 'Times' newspaper has a very intelligent correspondent in Ireland, who is charged especially to report on the Land Question. His letters remind me of the saying of a witty diplomatist who, in the last century, returned from time to time to England, his native country.

'When I arrive in England,' he said, 'if I open my eyes and shut my ears, I think the country very flourishing. But if I shut my eyes and open my ears, I find that England is the most wretched country on the face of the earth.'

The 'Times' correspondent very properly opens his eyes. He sees much improvement—farmers selling their cattle and their crops to great advantage, labourers well-clothed, earning 8*s.* or 9*s.* a week where their fathers earned with difficulty 5*s.*

He then opens his ears, and forthwith imbibes a storm of complaints. 'Our landlord is very kind, and never raises his rents. But what if he should suddenly turn tyrant? and what if, when we ask for a lease, he should choose to have the land valued, and demand a higher rent than we now pay?' Then, as to the labourers, they are tolerably well-off, much better housed, and much better clothed than they used to be; but they think that eight centuries ago their ancestors possessed the land, and that, as they are the people of Ireland, they ought to possess it now.

To grumble is the prescriptive right of Englishmen, and

on principles of equality, cannot be refused to Irishmen. But to legislate on such vague notions would be most unsafe.

Lord Portsmouth says with just pride and satisfaction, 'Since 1822, the experiment of thirty-one years' leases, with free liberty to sell them, and practically vesting all buildings in the tenant, has been tried on my estates in the county of Wexford, with the following results:—Badly cultivated patches of land, with wretched hovels on them, have been changed into well-cultivated farms, with first-rate homesteads. The rental has more than doubled, is punctually paid, instead of irregularly paid. Discontent and misery existed in 1822; prosperity and contentment exist in 1869. Vinegar Hill was the head-quarters of the Rebellion in 1798; now no more loyal and contented population exists than that which surrounds it.'[1] Excellent! but will thirty-one years' leases produce everywhere in Ireland well-cultivated farms and a doublerental?

This, however, is not 'fixity of tenure.' In fact 'fixity of tenure' is but another term for property in land, which the agitators propose to take from the owner and give to the occupier.

A writer in the 'Daily News' very sensibly remarks, that fixity of tenure would 'diminish progress,' and 'stereotype desolation.' 'The Spectator' seems to have no objection to 'desolation,' and says that 'the more wealth Ireland has accumulated, the more loudly and bitterly she has protested against our rule.' But surely it is not the business of Parliament to 'stereotype desolation,' to stop the 'accumulation of wealth,' and to foster the agrarian murders, which, instead of being stopped, would be promoted by such legislation.

In the midst of the opposite evidence from his eyes, and from his ears, the 'Times' Commissioner arrives at a

[1] Letter to the *Times*, September 11, 1869.

very rational conclusion. After stating the case of Mr. Pollok, who, as a landlord, has greatly improved his land at his own expense, the Commissioner continues thus :—'Yet, on the other hand, in the case of these village communities, how idle it is to say, that it is consonant to justice to abandon them to the rules of the common law, to ignore the existence of the property they have created, to subject them to eviction without full compensation, or without an equivalent prolongation of tenure. He evidently will be the true statesman, and will be entitled to claim the merit of solving this complicated problem justly, who, recognising the co-existence of these modes of tenure, and the variety and conflicts of rights under them, shall devise a law that shall be applicable to each, and, as far as human legislation can go, shall protect the interests arising under both, and shall then give them complete freedom. Without venturing to dogmatise, I am not without hope, that a reform of this kind is quite feasible, without endangering, in any rational sense, the rights of property.'

This is the result arrived at by an intelligent observer acted upon by all he sees, and all he hears, but reserving his powers of reasoning and sense of justice.

To sum up shortly the whole matter, we may say, 'Property has its duties as well as its rights;' let those duties be enforced by law.

But 'Property has its rights as well as its duties;' let those rights be preserved by law.

In point of fact, the attempts made to overthrow the barriers of law and prescription, by pure reasoning, are flimsy and shallow enough. First, it is said that great oppression is exercised by the landlords. But as every impartial inquirer finds that this charge of oppression, true and revolting as it is, does not practically apply to more than one in fifty of the landlords, it is absurd to say that fifty shall be deprived of their property because one of

them has been guilty of oppression. Then it is said that the proprietors are Protestants, while the majority of the occupiers and labourers are Roman Catholics. This is in effect to propose a new religious disability; to make an odious inquisition into religious faith; to introduce a new element of discord into Ireland, when for forty years, harmony, good will, and religious equality, have been the objects of all wise statesmen. Nor could the rule be restricted in operation. For, if the Duke of Devonshire, and the Duke of Leinster, are not to hold property in Ireland, because they profess a faith differing from that of the majority, how can the Duke of Norfolk and Lord Arundel be permitted to own land in England?

It is not even pretended that Protestant landowners in Ireland are worse landlords than Roman Catholics. The Earl of Roden is probably quite as kind to his tenantry as the Earl of Kenmare.

But lastly, it is urged, that the titles of the Irish landowners are derived from the confiscation of property held by ancient Irish chiefs, and forfeited by rebellion.

No one, however, who has the slightest regard for the peace of the country will go back seven centuries, to inquire what lands were declared forfeit by Henry II., by Henry VIII., by Elizabeth, by James I., by Charles II., and by William III. Still less will any one pretend to point out the heirs of the expelled rebels.

Upon this question there can be no compromise. Either British rule in Ireland must be renounced, and all that has been done to improve and civilise, for the last forty years, must be exchanged for anarchy, bloodshed, and desolation, or the law must be quietly amended, and steadily maintained under the authority of the Queen.

Ireland must be governed by the British Parliament, which cannot abdicate its supremacy; which must protect life and property; must reject frantic theories and trea-

sonable projects; must punish the wrongdoer, and throw its shield over the peaceable subject.

Yet, rejecting all these theories as impracticable, infinite care must be taken to protect the real rights of the Irish tenant.

Upon this difficult land question, I suggested, in my third letter to Mr. Chichester Fortescue, that every tenancy less than a yearly tenancy, should hereafter be by law a yearly tenancy.

That any contract between landlord and tenant, by which the tenant agrees to give up his holding on any other terms than those in force in the case of a lease, or of a yearly tenancy, shall be utterly illegal and *ipso facto* void.

That upon a notice to quit, the case of the tenant shall be heard, as usual, and that he shall be empowered to bring forward evidence to show the improvements he had made on his farm, and the buildings which he had erected at his own expense.

That the Chairman of Quarter Sessions should be authorised by law to accompany his decree by an award compelling the payment of compensation for the value of the improvements made, and the buildings erected, or granting the tenant power equivalent to what is called tenant-right, of selling the goodwill of his farm to any other person.

I added—'the Chairman might also, I think, be empowered to quash the ejectment, and to direct the grant of a lease of twenty-one years by the landlord, in terms to be settled by the judge.'

I have only to add to these suggestions, that I think a special court should be created at Dublin, similar to the court erected by the Encumbered Estates Act, and that erected by the Irish Church Act.

This letter was published early in 1869. Later in the year, a pamphlet has appeared, written by Mr. Gerald

Fitzgibbon, a Master in Chancery, a man of great ability, well acquainted with the law, and sincerely desirous to find a solution, which may prove beneficial as well to landlord as to tenant, and be productive of peace to Ireland.

His suggestions are very remarkable; his experience and his suggestions may be summed up as follows:—

He states that the Court of Chancery often takes into its charge an estate in land. He has himself had to deal with about 400 estates, occupied by nearly 20,000 tenants. When one of these tenants applies to the Court of Chancery to allow the receiver to supply slates and timber for roofing a farm-house or a cow-house, upon an undertaking to build the walls and complete the structure at the tenant's own expense, Mr. Fitzgibbon, as representing the Court of Chancery, uniformly complies with it. I may remark that I believe every just and liberal landlord does the same. Mr. Fitzgibbon likewise complies with applications from the tenant for assistance to drain or otherwise improve the farm.

I believe that most landlords would comply with similar applications.

But as the distrust of the tenants is so wide-spread as to be almost universal, Mr. Fitzgibbon would enforce the duties of landlords in the following manner:—

Pass an Act by which every tenant in the country, great and small, having a term of less than seven years in his land, shall be entitled to transmit to some public functionary a written notice that he desires to improve his farm, and undertakes, within three years, to add some substantial and specific amount to the present yearly value. If his proposal is approved, and he fulfils what he has undertaken, let him have a grant at the old rent, in proportion to the addition he has made to the permanent value of his farm. 'Let an addition of twenty-five per

cent. entitle him to thirty years. Give him sixty years if he adds fifty per cent., ninety years if he adds seventy-five per cent., and so on.'

Mr. Fitzgibbon deserves great credit for this proposal, intended to reconcile equity with popular demands, and encourage industry by conferring property upon honest exertion. Yet I cannot but think there is some danger in the process by which the tenant is to be enabled to oust the proprietor, and become the owner of the fee. Lord Portsmouth speaks of his grants of leases for thirty-one years, but not at the same rent as the leases of his progenitors. Neither would it be easy to prove the exact twenty-five or fifty per cent. which, with lawyer-like precision, Mr. Fitzgibbon requires as a pre-existent condition. It seems to me, therefore, that if my scheme is somewhat too vague and too rough, Mr. Fitzgibbon's plan is too positive and too minutely guarded; that it holds out hopes which would not be realised, and would hardly stand the test which he himself proposes of being fit for adoption in England and in Scotland.

Still I cannot doubt that in this direction lies the solution of the land difficulty of Ireland, and that we want only a combination of a great lawyer with a great statesman to arrive at a peaceable and happy termination of this perilous and impassioned controversy.

To sum up this question of Irish grievances, let us reflect that, in 1829, the Roman Catholics of Ireland, as of England, were made competent to hold offices in the political government of the country and in courts of law, excepting only the offices of Lord-Lieutenant and Lord Chancellor of Ireland. This last exception has since been repealed.

That, in 1833, the Church of Ireland was freed from many abuses, and that Church cess (the church-rate of England) was totally abolished.

That about the same time 'Schools for all' were esta-

blished by Lord Derby, then Mr. Stanley, for the purpose of improving and extending National Education.

That, in 1869, the Protestant Church of Ireland was disestablished and disendowed.

That, by Acts passed in 1839 and subsequent years, the paupers of Ireland obtained relief furnished from rates.

That, by Acts relating to the Poor Law of England, a short industrial residence in England enables an Irish workman to obtain all the advantages in the labour market of English manufacturing towns which an English workman enjoys.

That, in 1838, the chief evil of the tithe system was remedied by converting tithe into rent-charge, payable by the landlord.

The consequences of these and various other Acts have been—

That there is now complete civil, political, and religious equality in Ireland between Protestants and Catholics.

That the rent of the landlord, the capital of the farmer, and the wages of the agricultural labourer, have all, since 1829, greatly increased.

That the commerce of Ireland, and the revenue from the Custom-house have been considerably augmented.

That between 1832 and 1868, agrarian crimes were much diminished.

That the disorders which prevailed from 1792 to 1838, arising from the collection of tithe, have totally ceased.

That the evils arising from the deeply mortgaged condition of many landed estates, have been, by the operation of the Encumbered Estates Act, greatly diminished, and landed property to the amount of thirty millions has been sold to solvent purchasers.

That the appointment of judges, without reference to religious creed, and the selection of juries, fairly chosen from Protestant and Roman Catholic qualified persons, has

removed all just cause of complaint against the administration of justice.

Speaking in the House of Commons, in 1839, I said that it would still require forty years to remove the evils of long standing which afflicted Ireland.

Thirty years have since passed, and great progress has been made.

The question is now,—shall we continue that progress on the principles of justice and equality, or shall we adopt the scheme of Irish independence recommended by the Fenian partisans?

It is as clear that Dublin and Cork must belong to the United Kingdom of England and Ireland, as that Lyons and Toulon must belong to France, and Richmond and New Orleans to the United States.

The plain question then is,—are the Irish Agitators prepared for civil war, with all its horrors and all its results?

Supposing the wishes of Ireland to be represented fairly by the monster meetings on tenant-right, and on the grant of an amnesty for the convicted Fenians, the wishes and the wants of Ireland must be carefully separated.

It is the right of a people to represent its grievances. It is the business of a statesman to devise remedies.

The wants of Ireland are real, and must be supplied. Her wishes are transitory and intemperate; they must be filtered till the impure and noxious matters are cleared away, and nothing is left but what is pure and wholesome. Then, indeed, we shall have, not only *Hibernia Pacata*, but *Hibernia Felix*.

Some of the most fruitful causes of the misery of small and poor tenants in Ireland have disappeared. When the elective franchise was conferred upon the Roman Catholics, landlords gave forty shilling freeholds to multitudes of miserable cottiers, and drove them by thousands

to the poll, in exchange for the titles and offices they obtained for themselves at the Castle. The Act of 1829 abolishing the forty-shilling freehold franchise, took away the temptation to create these fictitious tenures. Forty years have elapsed since the abolition of the forty-shilling freeholds. But it is not time only which has been at work. The great potatoe famine, the immense emigration which ensued, and the Encumbered Estates Act, have cleared many estates from the pauper tenantry.

The Government can have no difficulty in obtaining valuable suggestions from official and independent sources. The large and liberal mind of the Lord Chancellor of Ireland, the legal knowledge of the law officers of the Crown, the long experience and enlightened suggestions of Dr. Hancock, who dispelled the fictions of those who maintained that Ireland was declining, may all be drawn upon by the Cabinet in framing a measure upon Irish land. If rightly framed, it would be a still greater blessing than the abolition of the Irish Church; but the course proposed by the 'Spectator' would produce, instead of fertility, desolation; instead of hatred, contempt. Here would be a fine result of statesmanship applied to Ireland!

But worse might be apprehended, if the Ribbon societies and their hired assassins are to dictate our future policy.

In what Mr. Trench calls the Ribbon conspiracy against his life, the Chairman is reported to have said:—

'Down with the church, down with the landlords, down with the agents, down with everything, say I, that stands in the way of our own green land coming back to us again.'

'What wonderful grand fun we'll have fighting among ourselves, when it does come!' said a thick-set herculean fellow at the lower end of the table.

'Well now, I often thought of that,' replied his neighbour in a whisper; 'it'll be bloody work then in airnest, as sure as you and I live to see it; anything that has happen'd up to this will be only a joke to what will happen then.'

'And what matter?' cried the advocate for fighting; 'sure wouldn't it be better any day to be fighting among friends than have no fighting at all, and be slaves to our enemies!'[1]

The Scotch Highland Celts used to say among themselves, in their own cabins, and in their own language, 'Turn out the Saxon and take in the dog.' But the Highlands have been pacified without expelling the descendants of Gillespie Campbell of Anglo-Norman origin, ancestor of the Duke of Argyll, or of John of Moravia, ancestor of the Duke of Atholl. So it will be with Ireland, if we use patience and moderation.

I cannot omit here some mention of the Encumbered Estates Act.

The proceeding was commenced in 1848; it was completed in the following year. Sir Robert Peel had proposed in the House of Commons, a scheme for a new settlement of land in Ireland, framed apparently upon the settlement of Ulster by James I. The plan appeared to the Government and to Members of Parliament generally to be too large and vague to be practicable, and it was consequently laid aside. A Bill was introduced into the House of Lords by the Lord Chancellor, Lord Cottenham. Sir John Romilly, who had been recently appointed Solicitor-General, framed, in conjunction with Mr. Walter Coulson, a series of clauses which completely altered the character of the Bill, and tended to make it far more effective. But, when the Bill went back to the House of Lords, Lord Cottenham so modified the clauses, as to

[1] *Realities of Irish Life*, p. 194.

preserve to the first encumbrancer a power to nullify the whole Bill. This Act passed in August 1848, it is the 11th and 12th of Victoria, cap. 48, and is entitled 'An Act to facilitate the sale of Encumbered Estates in Ireland.' When the session was over, being very anxious on this subject, I went over to Ireland chiefly for the purpose of inquiring into the probable operation of this Act. Lord Clarendon, who was then Lord Lieutenant, requested the Chancellor of Ireland to come to the Vice-regal lodge to confer with me. He told me that the Act would probably be evaded, and I gathered from him that, in his opinion, it would be a dead letter. When I returned to England I sent for Sir John Romilly and instructed him to prepare a new Encumbered Estates Bill for Ireland. I gave him full liberty to prepare it as he thought desirable, both as to the scheme to be adopted, and as to the provisions to be introduced for working it, permitting, at his request, that the working of the Act should be confided to a new court, to be constituted for that purpose. When Sir John Romilly introduced the Bill in the House of Commons, he was complimented very highly by Sir Robert Peel, who said he was not one of those lawyers who took away the key of knowledge, and prevented others from entering in. Lord Cottenham waived his scruples; the Act framed by Sir John Romilly and Mr. Coulson, was confided to a court composed of very able men, and its operation extending over vast masses of property, and changing the ownership of many estates of which the owners had been hopelessly encumbered, and the tenants without means of improvement, proved by the consent of all parties eminently beneficial.

The authorship of so large and useful a measure has been attributed by many to Sir Robert Peel, and by Lord St. Leonards to himself. But to the decision of the Government overruling the technical views of their own

Lord Chancellor, and to the constructive skill of Lord Romilly and Mr. Coulson, this enactment must finally be attributed.[1] Pauperised owners of Castle Rackrents have given place to prosperous tradesmen. But there is some doubt, whether the new owners, though generally more faithful sons of the Church of Rome, are kinder landlords than the heroes of Miss Edgeworth's tale.

I have only further to say on this head, that agrarian crimes must be put down by a vigorous hand. Sir George Grey, when Home Secretary, was fully alive to his duty in this respect. He acknowledged that Government was bound to protect the life of the subject, and he as explicitly discouraged all the wild notions regarding property which then, as now, were afloat. The measure which he introduced in 1847 was salutary, though severe.

Its effects may be estimated by taking, from official returns, the number of agrarian crimes committed respectively in the years 1844, 1845, 1861, 1865, 1866.

	Agrarian Outrages.
1844	889
1845	799
1861	198
1865	162
1866	83

I only hope that, in 1870, the Home Secretary may take as high a tone as Sir George Grey, and introduce a measure as efficient in repressing agrarian crime and outrage as Sir George Grey introduced in 1847.

The present Government, soon after their entrance into office, seeing that the Fenian treason had been defeated by the promptitude and vigour of Lord Kimberley, and the Duke of Abercorn, very naturally supposed that the least guilty of the offenders might be pardoned. But, however natural, and however merciful, this conduct on the part of

[1] See Letter of Lord Romilly in the *Times* of March 13, 1869.

the Government, it has clearly appeared that the measure was a mistaken one. The liberated criminals have taken for granted that they were pardoned, not in the hope of their penitence, but as an indemnity for past offences, and an encouragement to fresh treasons.

The motives of the Executive Government were laudable, but I am glad to hear that this mistake will not be repeated.

In 1839, in order to comply with a wish of Lord Normanby, whose experience in Ireland made him conversant with internal government, I gave up the Home Department to him, and accepted the Colonial Office.

I soon became interested in Colonial Affairs. It seemed to me that the Imperial Government was bound, both in honour, and from the soundest views of national policy, to protect, foster, and defend our Colonies. It may be a matter of doubt whether or no to build up a Colonial Empire. But it is evident that if Great Britain gives up her supremacy from niggardly views of saving, or from a craven feeling of helplessness, other powers will soon look upon the Empire, not with the regard due to an equal, as she once was, but with jealousy of the height she once held, without the fear she once inspired. To build up an empire extending over every sea, swaying many diverse races, and combining many forms of religion, requires courage and capacity; to allow such an empire to fall to pieces, is a task which may be performed by the poor in intellect, the pusillanimous in conduct.

When I came into the Colonial Office, there was a question regarding certain parties who were desirous of founding in New Zealand, a government having coercive criminal jurisdiction. But I pointed out to them that such conduct would be a violation of their duty as British subjects. The persons alluded to consulted Serjeant Wilde, afterwards Lord Truro, and finding that I was right in point of law, desisted from their project. I told them,

however, that they might be assured of the protection of the Crown, and by the Treaty of Waitangi, the Queen assumed the sovereignty of New Zealand. It was not therefore, by chance, or without incurring obligations on the part of the Crown, that New Zealand was added to the British Dominions.

I gave still stronger assurances to the British Provinces of North America, pledging to them the word of the Queen, that so long as they desired to remain her subjects, they should receive the support of the Crown, and be defended as a part of the British dominions.

A faint-hearted Government in Great Britain may break these pledges, and depart from this policy. But from the day when they do so, the Decline and Fall of the British Empire may be dated.

At the same time I do not think the relations of the Colonies to the Mother Country, can be kept up precisely in their present form.

There is uneasiness growing up on both sides; the Colonies doubting as to the protection they may receive, and Great Britain complaining of the cost of the Naval and Military expenses incurred in defence of colonial interests, whenever they are in danger.

I am disposed to believe, that if a Congress, or Assembly representing Great Britain and her Dependencies, could be convoked from time to time, to sit for some months in the Autumn, arrangements reciprocally beneficial might be made.

I mean that, on the one hand, the Metropolitan State might promise protection to the Colonies, by her army and navy, against any foreign or barbarous enemy; and, on the other hand, a contribution of three or four millions towards our army and navy estimates might be granted by the Colonial Parliaments, and an engagement taken not to charge more than a certain per centage, say ten per cent. *ad valorem*

on British produce and manufactures; or they might propose, as New Zealand has lately done, to ask for Imperial aid when absolutely required, to defray the expense of the aid afforded, and not to interfere with the discretion of the British Commanders by sea and land. In such case, as we have a Governor-General in India, and a Governor-General of British North America, so we might have a Governor-General of Australia and New Zealand, and a Governor-General of Jamaica and the West Indian Islands.

This scheme may seem impracticable to many. But so did the Reform Act of 1832; so did the total repeal of the Corn Laws; so did the abolition of the Irish Church. Great changes have been made; great changes are impending; amid these changes, there is no greater benefit to mankind, that a statesman can propose to himself, than the consolidation of the British Empire.

In my eyes it would be a sad spectacle, it would be a spectacle for gods and men to weep at, to see this brilliant luminary cut up into spangles,—to behold Nova Scotia, the Cape of Good Hope, Jamaica and New Zealand, try each its little spasm of independence, while France, the United States and Russia, would be looking on, each, and all willing to annex one or more of the broken fragments to the nearest portion of their own dominions.

The difficulties, in detail, of such an arrangement might be great. But, with a Colonial Minister of such excellent judgment, tact and temper as Lord Granville, they would not be insuperable.

Some further references to past occurrences may serve to explain my meaning.

Mr. Baldwin, who had taken a prominent part in Canadian politics, came to England while Lord Glenelg was Secretary of State for the Colonies, and by his desire discussed with me the question of responsible government. I raised the objection that a responsible ministry in

Canada might object to take part with England in a foreign war, in which she might be engaged.

Mr. Baldwin, who was a man of sense and ability, assured me that the Canadians had no such pretensions. They wished to manage their own local affairs, and had no desire to diminish the authority, or dim the lustre of the Crown of England in her external affairs.

With this assurance I was satisfied; and when I held the seals I practically acted upon it, though I did not concur in the theory. In 1854, I proposed to the House of Commons, on the part of the government of Lord Aberdeen, to give free scope to the legislature of Canada in ecclesiastical affairs, and I have seen no reason to regret this policy.

It is the fashion to say that those Colonies which have adopted British institutions, whose ministers resign on a vote of want of confidence, and whose laws are framed on a British type, are virtually independent, and have no right to look for British protection. In my opinion nothing can be meaner in spirit, nothing less wise in policy, than such assertions.

There was a time when we might have stood alone as the United Kingdom of England, Scotland and Ireland. That time has passed. We conquered and peopled Canada, we took possession of the whole of Australia, Van Diemen's Land and New Zealand. We have annexed India to the Crown. There is no going back.

Tu regere imperio populos, Romane, memento.

For my part, I delight in observing the imitation of our free institutions, and even our habits and manners in Colonies, at a distance of 3,000 or 4,000 miles from the Palace of Westminster.

During my tenure of the Colonial Office, a gentleman attached to the French Government called upon me. He

asked me how much of Australia was claimed as the dominion of Great Britain. I answered 'the whole,' and with that answer he went away. A French traveller of great quickness and power of observation, has lately given to the world his impressions of our Australian fellow-subjects.[1]

It is hardly necessary to say, that when the majority in any of our dependencies declare by their representatives that they wish to separate from us, no attempt should be made to detain them. The faults committed by George Grenville, Charles Townshend, and Lord North can never be repeated.

Of course, this remark does not apply to fortified places, like Gibraltar and Malta. It has, however, been too much the fashion for writers in the press, and some members of the House of Commons, to overlook the force of tradition, and the obligations of treaties, and to assume that because France is bigger than Belgium, Russia larger than Sweden, that therefore Belgium must be annexed to France, Sweden to Russia. The story commonly told of Brasidas might teach them better.

The Minister who tries to weaken the attachment of our North American Provinces to Great Britain, will be sure to rouse the grievous indignation of the people of England, and will be punished, if not by impeachment, at all events by eternal infamy.

I pass to other events.

In 1840 the Turkish Empire was threatened with dissolution. The Treaty of Unkiar Skelessi erected a protectorate of Turkey on the part of Russia; a long course of intrigue, and the boldness of Mehemet Ali, a man of great genius and daring, had nearly separated Egypt and Syria

[1] See *Australie, Voyage autour du Monde*, par le comte de Beauvoir: Paris, 1869,—a very interesting and amusing work. *Greater Britain*, by Sir Charles W. Dilke, is a very able work on a similar subject.

from the Sultan's sovereignty. It became a question whether England should permit Russia and France to divide the Turkish Empire between them. The wise inaction of Lord Palmerston gave time to prepare the solution of a great crisis, his vigour shone forth at the decisive moment, and when the thunderbolt fell at Djune and at Acre, the air was cleared, and the sky was again serene.

The questions relating to political and municipal franchises were of so much difficulty, and excited so much political heat, that the Ministry of Lord Melbourne abstained for some years from attempting to promote those principles of reduction of duties and free trade, which had given rise to the honourable exertions of Huskisson and Canning. The attempt of Lord Althorp to lower the differential duties on timber, one of the grossest cases of colonial protection, was received so coldly, and was so effectually thwarted by Sir Robert Peel, that the Government could not hope for any support from those Liberal Tories who had followed Mr. Huskisson during the administration of Lord Liverpool. This was rather extraordinary, as Sir Robert Peel was known to have been, in Lord Liverpool's Cabinet, a warm advocate for free trade. Indeed, his liberal opinions upon this subject probably gave rise to Mr. Canning's remark, that the Cabinet were divided, not by a straight, but by a serpentine line.

However, in 1840, the questions of franchise having been nearly all decided, a committee on the duties of imports, presided over by Mr. Joseph Hume, and informed by the accurate knowledge and sound judgment of Mr. Deacon Hume, revived the interest upon this subject. The question for the Cabinet to decide, was in reality whether they would lower duties of a protective character on a great number of small articles, or whether they would attack the giant monopolies of sugar, of timber, and of

corn. The latter course, the most gallant, though perhaps not the most prudent, was preferred; but at the same time the measures proposed were of the character of those brought forward by Mr. Huskisson, viz. that of a gradual approach to free trade rather than a complete repeal of protective duties. In this spirit, therefore, the Government proposed a reduction of the differential duties on sugar to 12*s.*; of the protective duties on timber to 10*s.*; and with respect to corn, a fixed duty of 8*s.*, to be relaxed from time to time by Order in Council, instead of the sliding scale, which had been the favourite scheme of Lord Liverpool.

These proposals, however, excited quite as much animosity among the protected interests as if the Government had proposed the abolition of all differential duties on sugar and timber, and a total repeal of the corn laws. The landed gentry and the farmers were especially indignant, and they fondly looked to Sir Robert Peel and Sir James Graham, to protect them from changes which the former had always strongly opposed, and the latte had denounced as destructive to the position, and even to the existence of the land-owners of England. In spite of the symptoms of approaching defeat, I brought forward the question of the reduction of the duties on sugar. After a long debate, my motion was defeated by a majority of thirty-six.

This decision made it necessary for the Cabinet to consider their whole position, not only with reference to the measures they had announced, but also to their continuance as an administration. It was obvious that there would be no public advantage in bringing forward the motion for a fixed duty on corn, of which notice had been given. There was no chance of obtaining a majority for such a motion; but if the whole budget of the year was to be thus defeated, it was plain

that the only alternative which remained to the Cabinet, was to dissolve or to resign. This question was anxiously considered, and it was deemed necessary to obtain some insight into the probable effect of a dissolution before resorting to such a measure. Among the letters which were received in the course of the next few days by members of the Government, was one from a very intelligent gentleman at the head of a great banking establishment in Lancashire, to the effect that in order to impress the country with a due sense of the importance of a change from protection to free trade, it was the duty of the Government to submit the question to the test of a general election. It was urged that whatever might be the verdict as to majority or minority in the future House of Commons, the great question of freedom of trade could not fail to be thoroughly discussed, and especially the evils of inconvenient and vexatious restrictions on the supply of food to the people, might be strongly denounced. Lord Grenville had said of the corn laws, in a memorable protest, that monopoly is the parent of uncertainty, of dearness and of scarcity. This great truth, and the injustice of such a monopoly in its bearing on a nation increasing in the extent of its manufactures, the expansion of its commerce, and the general diffusion of its wealth, could not escape a searching criticism and an ultimate condemnation.

These reasons prevailed, and the Cabinet, after several discussions, decided on dissolution in preference to immediate resignation. It was thought best, however, for the sake of the convenient dispatch of business, and of a constitutional regard on the part of the Crown towards the House of Commons, to defer the announcement of this resolution. Sir Robert Peel took advantage of the delay, as he had a perfect right to do, to bring forward a direct motion declaring a want of confidence, and this motion,

after a long debate, was carried in a full House, by a majority of one. When, however, the Ministry announced, as they on their side were entitled to do, that in so divided a state of opinion the Crown would appeal to the people for a decision, Sir Robert Peel intimated that he would not interpose any obstacle to a dissolution; but he made it a condition that the elections over, the new House of Commons would be at once assembled. With this condition I readily complied.

The dissolution took place, and in the month of August the House of Commons met, and decided by a majority of ninety-one that the existing Ministers had not their confidence. As the Ministry had placed before the country the question of Protection or Free Trade as a subject for their decision, they thought it right to obtain this authoritative result of the dissolution from the new House of Commons. In fact, the question of Protection had been the bone of contention during the elections, and the Tory party looked forward, with sanguine hopes, to the perpetuity of the Corn Laws, and the eternal institution of a sliding scale on the admission of foreign corn. Sir Robert Peel, however, skilfully avoided this issue, and while he pledged his supporters to an entire want of confidence in the Liberal Ministry, he left himself full latitude as to the measures which a future Ministry might think fit to adopt.

After the vote and the address, the Ministers at once resigned, and on September 3, a new Ministry, under Sir Robert Peel, was inaugurated.

Little was said, and less was done, in the remainder of the Session of 1841.

In 1842 a new policy, both financial and commercial, was inaugurated. Much was done in the direction of free trade, but the dangerous topics of corn, sugar, and timber, were tenderly touched, or skilfully evaded.

Before the Parliament expired, the Corn Laws were totally repealed, and the differential duties on sugar entirely abolished. But the Income Tax remained, and still remains as the positive result of the Tory triumph in 1841.

In reviewing these proceedings, it may be thought that Lord Melbourne's Government showed great rashness when they proposed to touch the great monopolies of sugar, of timber, and of corn. Each of these monopolies was entrenched behind fortifications, which were at that time impregnable. The West India interest was wealthy and commercial, commanding great interests at Liverpool and Glasgow, and ramified, through many branches, among the members of the aristocracy and great mercantile firms, strongly represented in both Houses of Parliament. The timber monopoly, though eminently absurd, and defended by reasons obviously futile and unsound, was identified with a powerful colonial interest, and had been covered by the shield of the Opposition leader when Lord Althorp had ventured to assail it. But above all, the great monopoly of bread was identified, in the opinion of a great portion of the Lords and Commons, with the station, the dignity, and even the very existence of what is called 'the landed interest' of England. It had been said by Lord Bolingbroke, more than a century before, that while the Whigs might have occasional tenure of power, the Tories, resting upon the solid foundations of Church and land, were destined to hold the permanent Government of the country. Burke, with the same opinion, though not with the same inclinations, had affirmed, in a letter to Fox, that the Whigs had never attained power but by a skilful use of opportunities. This doctrine, as to the solidity and the permanence of Tory power, was held by a numerous body of Peers and county gentlemen, who cared nothing for the writings of Bolingbroke or Burke.

Sir Robert Peel, therefore, showed much prudence when, making a slight change in the Corn Laws, he, in fact, left the great monopolies of sugar, timber, and corn practically untouched. He probably thought that to others, and not to him, would be left the enterprise of destroying the dragon whose ravages had spread famine among the people.

I have no need, and no inclination, to follow in detail the administration of Sir Robert Peel. It was powerful, popular, and successful. Yet he did not hesitate, when he thought it essential for the public good, to risk the fate of his Ministry on behalf of an unpopular measure. He felt deeply that Ireland was his difficulty; he had abandoned, in 1829, those doctrines of Protestant ascendancy, and those exclusive laws which maintain a Protestant garrison in Ireland,—doctrines and laws to which he had clung with so much tenacity in the earlier part of his political career. But he had not gained the confidence of the Roman Catholics of Ireland, and they obstinately refused favours at his hands which they would have been willing to accept from a Liberal administration. To a man of the large mind of Sir Robert Peel, the alienation of Irish opinion and affections must have appeared a serious evil in the presence of domestic embarrassments and foreign complications. In this perplexity, he brought forward, as Prime Minister, a measure for a generous and sufficient endowment of the college of Maynooth. Much public discontent was excited among the fanatical parts of the Protestant population of England; I received several letters, assuring me that the confidence of my constituents of the City of London would be withdrawn from me, if I continued to give my support to the measure of the Minister. Yet I was persuaded then, as I am still persuaded, that the measure was one of broad and wise policy, tending to conciliate the Catholics of Ireland, and to prove to that portion of the Queen's

subjects, that their interests and their welfare were not indifferent to the statesmen and the people of England. It was thus considered by the Catholic body in general, and at the last reading of the Bill in the House of Commons, it was thus hailed by Lord Arundel, as the organ of his communion, and of the large numbers associated with him by faith, though not by race, nor by position.

It was supposed at the time, openly stated by me, and as openly accepted by Sir Robert Inglis, that this measure was preparatory to one for the general endowment of the Roman Catholic Church in Ireland. Sir Robert Peel, in a private conversation at Nuneham a few years afterwards, suggested such a measure as fit to be adopted; but when Mr. Sheil, who was present, urged that Sir Robert himself ought to be the Minister to propose it, he declined any such responsibility. Nor is it likely, that had he returned to office, he would have ventured upon a course so repugnant to the predilections of his party, so distasteful to the Low Church and Nonconformists in England, and to the Presbyterians of Scotland. Be that as it may, the Maynooth Act was a work of wisdom and liberality, and must always be remembered to the honour of the Minister who proposed and carried it.

Having arrived at the period when Lord Melbourne and his colleagues resigned their offices, I pause. Hereafter I may continue my review of Parliamentary proceedings to the period when I resigned office in 1866.

In the meantime I add some observations on topics which appear to me of public interest.

Belonging to the Whig party, so much decried, it has always been my object to promote the aim of that party—'The cause of civil and religious liberty all over the world.' I have endeavoured, in the words of Lord Grey, to promote that cause without endangering the prerogatives of

the Crown, the privileges of the two Houses of Parliament, or the rights and liberties of the people.

According to my view, the Tory party cared little for the cause of civil and religious liberty, and the Radical party were not solicitous to preserve those parts of the Constitution which did not suit their speculative and theoretical opinions.

To hold a middle way, to observe the precept of Dædalus and to avoid the fate of Icarus, is at all times difficult and in certain conjunctures perilous.

Happily, from 1830 to 1866, the Whigs and the Liberal Tories, who like Lord Palmerston and Mr. Charles Grant, followed Mr. Canning; or who, like the Duke of Newcastle, Mr. Sydney Herbert and Mr. Gladstone, followed Sir Robert Peel, have been able to accomplish great changes, to enlarge the limits of religious liberty, to promote the cause of free government in Italy and Spain, in Belgium and Greece; to break the fetters of monopoly and restriction which bound our commerce, and to emancipate our Colonies from the ignorance and errors of the Home Government, without endangering any part of our constitution.

The efforts of this enlarged and liberal policy upon our finances and our trade have been very remarkable.

Thus, to take only a few of the later changes.

In 1857, the receipts into the Exchequer amounted to 72,334,000*l.*

Since that time the amount of taxes repealed, compared with taxes imposed, give a balance in favour of diminished taxation of 21,880,000*l.* The amount of revenue in March last, was 72,592,000*l.*, thus showing an actual increase after the reduction.

The amount of the Exports and Imports, about 1853, was 268,000,000*l.*

In the year 1868, the two sums reached 568,000,000*l.*

In the year 1848, the Navigation Law was repealed, and Lord Derby and others predicted the total ruin of our commercial marine as the consequence. Mr. Lindsay, who believed in these prophecies, and has avowed his conversion, shall tell the result:—

	Vessels registered.	Tonnage.	Men employed.
1841	23,461	2,935,399	172,341
1867	40,942	7,277,098	346,606

Of British and Foreign tonnage in 1867.

	British.	Foreign.
Entered inwards	11,197,685	5,140,952
Cleared outwards	11,172,205	5,245,090[1]

These figures have been taken from the Customs Returns.

Not only have these changes taken place without convulsion, but when, in 1848, all Europe was shaken by revolutions, the people of London rose, on the 10th of April, not to overthrow, but to maintain our laws and institutions.

Among the most interesting speculations upon which an Englishman can enter, is the question whether the political Constitution under which we live is likely to endure. Montesquieu said that our Constitution would perish whenever the Legislative Power should become more corrupt than the Executive. He was thinking probably of the danger arising from bribes, in the shape of offices, or lottery tickets, or even in the grosser form of money, given by an incorruptible Minister to a corrupt majority of the House of Commons. But, this kind of corruption had already diminished in the days of Walpole, had further abated in the days of Pitt, and in our time has almost totally disappeared. Public opinion has stamped it out.

Let us see, then, what are the positive advantages of the

[1] *Log of my Leisure Hours*, by an Old Sailor, vol. iii. p. 204.

British form of Government, and what are the apparent dangers to which it is exposed.

1. There is complete personal liberty. A man may think what he pleases, write what he thinks, publish what he writes. Unless he commit some flagrant offence against the laws, and be convicted of that offence, he cannot be punished.

2. In case of reasonable suspicion of crime, he is entitled to have his case examined by a judge of integrity and learning, whose opinion of his guilt must be confirmed by a jury taken from among the householders of his county.

3. If a majority of the nation are dissatisfied with the administration of public affairs, their representatives can at once obtain a change of men and measures by a simple declaration of want of confidence.

This last advantage, is one not enjoyed by the United States of America. When a President has lost the confidence of his countrymen, and of congress, he can only be removed by an impeachment, for which there may be no sufficient grounds, or by the expiry of his term of office, which may be in three months, or may not occur for more than three years.

The defects of the English Constitution affect chiefly the electoral constituents as a body which chooses the House of Commons, and the Parliament as a body empowered to make laws. The electors require to be restrained from bribery, and excessive expenses, which affect our reputation, and poison representation at its source. The House of Commons must be compelled by public opinion to secure purity of election.

The United States, having Federal Legislatures entrusted with the business of making laws, are not subject to our defects.

In the House of Commons, bills are postponed year after

year for want of time. The financial periods are so arranged, that measures of general legislation are, except in rare cases, begun in that House early in February, and finished late in July. This is owing partly to the necessity of arranging expenditure and taxes before the end of March, and partly to the habit, which has increased, is increasing, and ought to be diminished, of making very long speeches. An old woman might now make to the House of Commons, the prediction which an old woman once made to Horace :—

> Hunc neque dira venena, nec hosticus auferet ensis,
> Nec laterum dolor, aut tussis, nec tarda podagra ;
> Garrulus hunc quando consumet cunque.[1]

But, supposing the House of Commons obstinately persists in calling for the budget in March, and members persist in talking through April, May and June, then, not indeed the measures on which the fate of the country or of the Ministry depend, but measures of ordinary improvement relating to courts of justice, to the universities, to the public health, to education, to the Church, &c. &c., will continue to be sent to the House of Lords in the last half of July.

A body eager for plans of reform might, at that season, consider rapidly the wishes of the House of Commons. But the demand is hardly reasonable, and by an ancient and conservative Senate the task will probably be postponed till the next year.

There is, however, a defect in the personal composition of the House of Lords, which does not belong to its original constitution.

Since 1784, as we have seen, Pitt and his successors have so filled the House of Lords with Tory country gentlemen, that it has become a party body. Happily the

[1] Hor. *Sat.* I. ix. 31.

good sense of the sons has supplied the deficiency of the fathers, and there can be little doubt that while a Liberal Minister has the power of redressing the balance which Pitt so greatly disturbed, the House of Lords will be afraid of bringing down upon their heads a weight which might crush them altogether. If, therefore, a measure like the University Tests Bill is carried through the House of Commons by the Government, the Lords will not repeat their foolish vote of last session. On the other hand, the House of Commons must not repeat the course which induced the House of Lords, in their just resentment, to throw out the Scotch Education Bill.

Some persons have endeavoured to bring on at once such a collision as would either destroy the House of Lords, or induce the nation to rally round them as an integral part of the constitution.

I beg to submit to such persons the two following remarks:—

The first is that, if the hereditary privileges of the Peers are overthrown, the hereditary prerogative of the Sovereign will also be sacrificed. 'Do not,' said an accomplished orator in the House of Commons, many years ago, 'hang the Crown on the peg of an exception.' The particular application was mistaken, but the observation has truth to recommend it. The Sovereign does not inherit wisdom any more than the Duke of Norfolk.

The best Government consists in the union of liberty and order: we are at present in full possession of liberty, but order is sometimes in danger. Now, for the purpose of order, it is material that there should exist in the great bodies of the State the power which is called authority. Nothing more excites reverence than ancient prescriptive privilege; nothing more moves the imagination than ancient lineage combined with recent achievement. Thus,

to see in one assembly the descendants of the Talbots who fought in the fourteenth century, and the Napier who so lately triumphed in Abyssinia, the heir of Marlborough who won the battle of Blenheim, and of Wellington who was victor at Waterloo, of Nelson who fought at Trafalgar, of St. Vincent, and of Howe, of Cecil who advised Elizabeth, and of Grey who was Minister of William IV., with the representatives of Mansfield, and of Camden, of Hardwicke, and of Somers, gives dignity and weight to the House of Peers.

It is true that every editor of a magazine can furnish, at a few days' notice, a better Senate than the British House of Lords.

Happily the people of England give little attention to those fanciful schemes. The nobility of England are not like the French nobility before the Revolution, the slavish sycophants of a court. They are known in their country houses, where they preside over a becoming hospitality. They are known in courts of justice as foremen of grand juries, and magistrates at quarter sessions. They share in national sports, and their wives and daughters visit the widows and the fatherless in their affliction.

Lastly, when a great question arises, which requires a display of more than ordinary knowledge of history, more accurate learning, more constitutional lore, and more practical wisdom than is to be found in the usual debates of Parliament, I know not where

> The general debate,
> The popular harangue, the tart reply,
> The logic and the wisdom and the wit

are to be found in greater perfection than among the Prelates on the Episcopal bench, the Peers of three centuries of nobility, and the recent occupants of the Woolsack.

Let me add, what is perhaps the most important security

of all—the prospect of any great democratic changes would shake public credit, and bring the nation to its senses,—so that I cannot say I feel any alarm at the danger of the abolition of the House of Lords—involving, as no doubt its subversion would do, the fall of the Monarchy.

Lastly, to speak of my own work, I can only rejoice that I have been allowed to have my share in the task accomplished in the half-century which has elapsed from 1819 to 1869. My capacity, I always felt, was very inferior to that of the men who have attained in past times the foremost place in our Parliament, and in the councils of our Sovereign. I have committed many errors, some of them very gross blunders. But the generous people of England are always forbearing and forgiving to those statesmen who have the good of their country at heart; like my betters, I have been misrepresented and slandered by those who know nothing of me: but I have been more than compensated by the confidence and the friendship of the best men of my own political connection, and by the regard and favourable interpretation of my motives which I have heard expressed by my generous opponents, from the days of Lord Castlereagh to those of Mr. Disraeli.

In political, as in other pursuits, men engage from various motives, and as in the Church and at the Bar, in the Army and in the Navy, some are to be found who do no credit to the gown or to the uniform, so in the State. But, so far as I have been able to observe, I can sincerely say that I believe the public men of Great Britain, whatever diversity there may be in their views, have sincerely and honestly at heart the welfare of that great and free nation to which they belong.

R.

September 23, 1869.

Postscript. — While these sheets have been going through the press, the news of the death of Lord Derby has afflicted his country, which saw in him a man, noble by character, as well as by rank, always ready to sacrifice office for the sake of maintaining his opinions, and forming those opinions, if with the fallibility of human judgment, yet with an integrity which must in all future times command respect.

R.

November 23, 1869.

APPENDIX TO INTRODUCTION.

I HAVE placed, in an Appendix, extracts from my correspondence with Sir James Mackintosh in the year 1819, and a copy of the letter of Pliny to the Emperor Trajan, to which I have referred in speaking of Ireland.

Note A.

Holland House: October 14.

MY DEAR LORD JOHN,

Parliament is you see to meet on the 27th of next month, and you are more wanted than any body, not only for general service, but because your reform must be immediately brought forward, if possible, as the act of the party, but at all events as the creed of all Whig Reformers. This session will be confined to the Radicals. It is reported that we are to have no suspension of the Habeas Corpus, but the Sedition Meetings Bill revived, with a new clause forbidding all persons to attend meetings at any other places but where they reside or have property, the imposition of the newspaper stamp on the weekly pamphlets, and a measure against drilling and training. My system is that we should:

I. Declare our real opinion of the danger of the country, which I think very great, and proclaim irreconcileable war against the Radicals.

II. That we should of course call for inquiry on Manchester.

III. That we should not very pertinaciously oppose ourselves to measures of precaution, which, if they have no other value, are Parliamentary declarations against the incendiaries, in which our concurrence (as far as possible) is the best pledge of our resolution to stand or fall with the constitution.

IV. That we should declare in the frankest and strongest manner for your reformatory measures, and that you should bring them forward, if possible, before the adjournment.

The early meeting of Parliament has put a stop to all further steps for country meetings, to which I own I was not from the beginning favourable. I believe I am less disposed to resist restrictive measures, and more anxious to declare for Reform, than many of our friends. My opinion with respect to both is fully as much influenced by other considerations which will readily occur to you, as by their intrinsic value. If some of our most important friends should persevere in their repugnance to all Parliamentary amendment, though we must not separate from them, we may still pursue our own course on that subject. In that case, however, I must own that our determination may be attended with little benefit at present, and much embarrassment in future. I wish to God you could come for two or three days to Mardock's before the meeting, that we might go through these matters. It would be a great favour if you would write to me as soon as you can. I send you a little packet of metaphysics from Lady Mackintosh. My zeal is somewhat cooled on these subjects, though the eagerness of a Scotch disputant happened to be unseasonably revived in the conversation about her ingenious paradox.

If Moore be with you, or within your reach, remind him of my constant regard.

Dear Lord John, ever yours most faithfully,

J. MACKINTOSH.

Do not delay coming. If you are not here at the opening of the session it will be hard to keep your subject.

Chatsworth: January 12, 1820.

MY DEAR LORD JOHN,

I have not yet received your speech, for which I am impatient. I quite agree with you about the divorce, and I think we have nothing to do but to see justice done, so that the individual may not be wronged, and that the example may be without danger. But it would still be very useful to know the sentiments of some individuals. Although it cannot be made a party question *in forma*, yet if a single person of importance among us were to espouse one side with great warmth, it might be a question very dangerous to our party. I will frankly answer your question about the last short session. I retain my first opinion, that there was sufficient ground for some precautionary measures; I never feared the success of immediate revolt, further than as it might affect the security of persons and pro-

perty in a district for a very short time. The evil which I apprehended was the alienation of the working classes from the proprietors and the constitution, and on this subject my apprehensions are not in the least abated. Some regulations of public meetings, I thought likely to be in some degree useful, because these meetings are the occasions on which the fanaticism of disaffection is most effectually propagated. The exception of meetings within doors, is so important a mitigation (not to be found in the Acts of '95 and '99), that it may in time supply the means of defeating the whole restriction. I never consider the Whigs in the time of Anne and George I. as having made any surrender of the principles of liberty by the Temporary Treason, the Riot Act, the Septennial Act, or even the suspension of the Habeas Corpus. The only questions in my opinion about these measures, relate to the degree of the evil and the efficacy of the remedy. The Drilling Act we are agreed about, the Disarming Act (if divested of the power of nocturnal seizure) seemed to me, if not absolutely necessary, yet a fit concession to the fears of the peaceable inhabitants of great districts.

The measures of the press are of a different kind, for the Stamp one is divided between the enormity of the evil and the danger of the principle. I voted cordially against the Stamp and the Recognisance. As to the Libel Bill I cannot help thinking that my Amendment would have placed the law on the right footing. However indiscreet my speech may have been, I am not convinced that I said anything, not in itself, just and true. Whatever my private opinions were, I was prepared to sacrifice, and I did sacrifice them to unanimity, and I will venture to say that no individual laboured harder to prevent disunion.

Note B.

The following is the letter of Pliny to the Emperor Trajan, copied from the Edition of 1789, Book X. Letter 97 :—

Solemne est mihi, Domine, omnia de quibus dubito, ad te referre. Quis enim potest melius vel cunctationem meam regere, vel ignorantiam instruere? Cognitionibus de Christianis interfui nunquam: ideo nescio, quid et quatenus aut puniri soleat, aut quæri. Nec mediocriter hæsitavi, sitne aliquod discrimen ætatum, an quamlibet teneri nihil a robustioribus differant? deturne pœnitentiæ venia, an ei, qui omnino Christianus fuit, desisse non prosit? nomen ipsum, etiamsi flagitiis careat, an

flagitia cohærentia nomini, puniantur? Interim in iis, qui ad me tanquam Christiani deferebantur, hunc sum secutus modum. Interrogavi ipsos, *an essent Christiani?* confitentes iterum ac tertio interrogavi, supplicium minatus, perseverantes duci jussi. Neque enim dubitabam, qualecunque esset, quod faterentur, pertinaciam certe, et inflexibilem obstinationem debere puniri. Fuerunt alii similis amentiæ, quos, quia cives Romani erant, annotavi in urbem remittendos. Mox ipso tractatu, ut fieri solet, diffundente se crimine, plures species inciderunt. Propositus est libellus sine auctore, multorum nomina continens, qui negant se esse Christianos, aut fuisse, cum, præeunte me, Deos appellarent, et imagini tuæ, quam propter hoc jusseram cum simulacris numinum afferri, ture ac vino supplicarent, præterea maledicerent Christo; quorum nihil cogi posse dicuntur, qui sunt revera Christiani. Ergo dimittendos putavi. Alii ab indice nominati, esse se Christianos dixerunt, et mox negaverunt, fuisse quidem sed desiisse quidam ante triennium, quidam ante plures annos, non nemo etiam ante viginti quoque. Omnes et imaginem tuam, Deorumque simulacra venerati sunt; ii et Christo maledixerunt. Affirmabant autem, hanc fuisse summam vel culpæ suæ, vel erroris, quod essent soliti stato die ante lucem convenire: carmenque Christo, quasi Deo, dicere secum invicem, seque sacramento non in scelus aliquod obstringere, sed ne furta, ne latrocinia, ne adulteria committerent, ne fidem fallerent, ne depositum appellati abnegarent; quibus peractis morem sibi discedendi fuisse, rursusque coeundi ad capiendum cibum, promiscuum tamen et innoxium, quod ipsum facere desiisse post edictum meum, quod secundum mandata tua hetærias esse vetueram. Quo magis necessarium credidi, ex duabus ancillis, quæ ministræ dicebantur, quid esset veri et per tormenta quærere. Sed nihil aliud inveni, quam superstitionem pravam, immodicam. Ideo, dilata cognitione, ad consulendum te decurri. Visa est enim mihi res digna consultatione maxime propter periclitantium numerum. Multi enim omnis ætatis, omnis ordinis, utriusque sexus etiam, vocantur in periculum, et vocabuntur. Neque enim civitates tantum, sed vicos etiam atque agros superstitionis istius contagio pervagata est, quæ videtur sisti et corrigi posse. Certe satis constat prope jam desolata templa cœpisse celebrari, et sacra solemnia diu intermissa repeti, passimque venire victimas, quarum adhuc rarissimus emtor inveniebatur. Ex quo facile est opinari, quæ turba hominum emendari possit, si fiat pœnitentiæ locus.

SPEECHES.

HABEAS CORPUS SUSPENSION BILL.

February 26, 1817.

Lord John Russell rose and said: I had not intended to trouble the House with any observations of mine during the present session of Parliament. Indeed, the state of my health induced me to resolve upon quitting the fatiguing business of this House altogether: but he must have no ordinary mind whose attention is not roused in a singular manner when it is proposed to suspend the rights and liberties of Englishmen, though even for a short period. I am determined for my own part that no weakness of frame, no indisposition of body, shall prevent my protesting against the establishment of the most dangerous precedent which this House ever made.

Sir, I am the more convinced of the danger in which the constitution stands from the manner in which the question has been treated by an hon. Friend below me. From a person of his intelligence, candour, and information I expected an excellent judgment on this subject. But to what do his arguments amount? I will venture to say they are so weak and superficial that I would not upon the strength of them vote for a Turnpike Bill. He tells us that reform wears a most dangerous aspect because it is moderate—because it proposes to go step by step. Let my hon. Friend consider to what this argument leads: it leads to the rejection of every species of reform, because it is innovation. In this point of view there was danger in the proposition made last night to reduce two of the Lords of the Admiralty, and my right hon. Friend who proposes to

abolish the office of third secretary of state is a monster of terror and alarm. Another argument of my hon. Friend was that the danger must be great because the distress was great, and that the discontent was to be measured by the distress. And upon this sort of argument *a priori* does he propose to take away the liberties of the people of England! Without waiting to ask whether they have been loyal, whether they have been patient under suffering, and enduring in the depth of misery, he turns to them and says, 'Because you are starving you shall be deprived of the protection of the law, your only remaining comfort.' Yet upon such arguments as these, for he had little other, did my hon. Friend rest his support of this Bill. He told us he would not enter into the historical question, and that he knew not if the existing laws were sufficient to remedy the evil. On these two points, however, I think it necessary to dwell a short time before I give my vote. Upon looking back to history the first precedent which strikes us is the precedent of the enactment of this law. The year before this law passed a plot was discovered, which, though it has since been mentioned only as an instance of credulity, bore at the time a most alarming appearance. Not less than two hundred persons, many of them of the first rank, were accused of conspiring the death of the king. The heir presumptive of the throne was supposed to be implicated in the conspiracy, and foreign powers were ready with money and troops to assist in the subversion of our constitution in church and state. Yet at this time did the Lords and Commons present for the royal assent this very Bill of Habeas Corpus, which for less dangers you are now about to suspend. We talk much, I think a great deal too much, of the wisdom of our ancestors. I wish we would imitate the courage of our ancestors. They were not ready to lay their liberties at the foot of the Crown upon every vain or imaginary alarm.

The able manner in which the history of the various suspensions of the Habeas Corpus which have taken place has been commented upon by my noble Friend behind me renders it unnecessary for me to enter upon that part of the subject:—one principle seems to have guided our legislators on all these occasions. It was this—that, when persons within the country were plotting with an enemy from without, the success of their machinations could only be prevented by detaining their persons till the danger of invasion was past. Thus, when, just before the first suspension of this Act, King William informed his Parliament that James had sailed with a French fleet for Ireland, the effect of leaving his adherents at large till legal proofs of their guilt could be procured would have been that they might have joined James, or made an insurrection in his behalf. On the various occasions, too, when the Habeas Corpus Act was suspended during the late war, the system of anarchy prevailing in France was always specified in the preamble of the Bill; and in the preamble of the Sedition Bill in 1799 it is expressly stated that a conspiracy has been carrying on in conjunction with the persons from time to time exercising the powers of government in France. Indeed, it is manifest that some fear of foreign aid, some dread of an invasion from abroad, or a competitor for the throne supported by rebellion, is an essential circumstance to render this measure necessary. For else why have a Habeas Corpus Act at all? The very purpose of the law is to protect the subject in all common cases of treason and sedition, and if it is to be a mere matter of holiday parade, if it is to be used only when the sky is bright, if every rumour of conspiracy and alarm of disaffection is to be sufficient ground for its suspension, then the Englishman who tells foreigners that his constitution and his laws are better than those of his neighbours is a lying boaster.

Now a few words as to the present danger and the sufficiency of the existing laws to meet it. The report of the Committee refers to two objects—to the plot which broke out in Spa-fields, and to the system of clubs and combinations now carrying on. As to the first, though the story is told in very pompous language in the report, we know the fact to be that a few miserable malcontents attempted a riot—that one man summoned the Tower, and that another party which went to the Royal Exchange was defeated by the Lord Mayor and Sir James Shaw. So that whatever the danger may have been previously, it is now past. The insurrection was tried and failed. Now, Sir, what better proof can there be of the excellence of the present laws? An attempt was made to overturn them; the people refused to join in it, and it was immediately quelled. What better evidence could we desire of the sufficiency of the constitution to repel the dangers which menace it? I was therefore surprised to hear the noble lord say that a reason for the present measure was, that a plot had exploded. This would be an excellent argument to a jury before whom one of the conspirators was tried, but it surely cannot be a good reason to the legislature for altering the present law. If a man's house has been saved from lightning by a conductor he does not immediately take it down to put up something else. If a traveller is attacked by a robber whose pistol misses him, and whose person falls into his power, he does not consider himself in the same danger he would be in with the pistol still aimed at his head.

As to the clubs and combinations which are said to exist I should admit they were dangerous, but that they cannot proceed a step without committing an unlawful act. All societies which administer unlawful oaths are illegal by the 39th of the King. The blasphemy and sedition said to be openly avowed are punishable by common law. The attorney-general has been asked very naturally what

has been done to repress these offences, and he has told us that it is only lately discontent has assumed this shape, and that prosecutions are now instituted. Why then, Sir, should we adopt the stronger remedy till we see the effect of the milder? The House should pause in its judgment. It is the tendency of those invested with authority to suppose that every disturbance in the system is owing to want of power, and not to the defect of wisdom. They readily suppose the fault to be in the law rather than in their own minds. Hence there no sooner appears the least commotion in the State than they bring forth the whole artillery of penal statutes which is set apart for solemn and extraordinary emergencies.

> Could great men thunder,
> As Jove himself does, Jove would ne'er be quiet;
> For every pelting petty officer
> Would use his heaven for thunder; nothing but thunder!

I will only say one word more as to the cry for reform, of which so much use has been made. I would make another use of this cry. The House must soon discuss the whole question. It is not difficult to foresee that the majority will decide in favour of leaving the constitution untouched. Anxious as I am for Reform, I am still more anxious that the House should preserve the respect of the people. If they refuse all innovation upon ancient laws and institutions, it is not to be denied they will stand upon strong ground. I beseech them then not to cut this ground from under their feet—not to let the Reformers say, 'When we ask for redress you refuse all innovation. When the Crown asks for protection, you sanction a new code; for us you are not willing to go an inch—for Ministers you go a mile. When we ask for our rights, you will not touch the little finger of the constitution; but when those in authority demand more power, you plunge your knife into the heart!'

REFORM OF PARLIAMENT.

Tuesday, December 14, 1819.

Lord John Russell rose and said: Mr. Speaker; The House will readily believe that it is with no common feelings of anxiety that I rise to address them on the present occasion. In private life there is no task more painful, or more invidious, than to tell an individual of his faults; and those who have had occasion to address this House on any question connected with reform have found it no less irksome a duty to point out defects, and require amendment, in a numerous assembly. This difficulty, I am aware, has been much increased since last year, when I gave notice of my intentions. It is impossible not to see that there are two parties dividing the country, both greatly exasperated, and both going to extremes: the one making unlimited demands, and the other meeting them with total and peremptory denial: the one ready to encounter any hazard for unknown benefits and imaginary rights, the other ready to sacrifice, for present security, those privileges which our ancestors thought cheaply purchased with their blood.

Yet if I were inclined to maintain that this moment is peculiarly favourable for entertaining the question of reform, I might cite an authority much respected in this House; I mean that of Mr. Pitt. On bringing forward, in May, 1783, resolutions, two of which are not very different from those which I shall have the honour to propose to the House, he is said to have stated, 'that the disastrous consequences of the American war, the immense expenditure of the public money, the consequent heavy burthen of taxes, and the pressure of all the collateral difficulties produced by the foreign circumstances, gradually disgusted the people, and at last provoked them to "turn their eyes

inward on themselves," in order to see if there was not something radically wrong at home that was the cause of all the evils they felt from their misfortunes abroad. Searching for the internal sources of their foreign fatalities, they naturally turned their attention to the constitution under which they lived, and to the practice of it. Upon looking to that House, they found that by length of time, by the origin and progress of undue influence, and from other causes, the spirit of liberty and the powers of check and control upon the executive Government were greatly lessened and debilitated. Hence clamours sprung up out of doors, and hence, as was perfectly natural in the moment of anxiety, to procure an adequate and a fit remedy to a practical grievance, a spirit of speculation went forth, and a variety of schemes, founded in visionary and impracticable ideas of reform, were suddenly produced.' This, however, did not deter Mr: Pitt from proposing a plan which he thought calculated to preserve the constitution from decay. Soon after he says, 'An Englishman, who should compare the flourishing state of his country some twenty years ago with the state of humiliation in which he now beholds her, must be convinced that the ruin which he now deplores, having been brought on by slow degrees and almost imperceptibly, proceeded from something radically wrong in the constitution. Of the existence of a radical error no one seemed to doubt.' Now, if we compare that period with the present, though indeed we have no foreign calamities to deplore, might I not urge that our expenditure and our burthens are quadrupled? Might I not show that undue influence is enormously increased? Might I not maintain that we, the successful belligerent, are suffering all the calamities which defeat and disaster could produce?

But, Sir, however great may be the authority of Mr. Pitt, I cannot but feel that circumstances like those which

he has described have at present too much embittered our political parties to allow me to think the present a favourable moment for a proposal of moderate reform. On that question, above all others, these extreme parties are in open hostility. The one would leave the fabric of the constitution, like the temples of Rome in her last days of empire, when they were found by the Goths covered with cobwebs, and falling to ruin from the neglect of their worshippers. The other party consists of those audacious men who seek to raise their names from obscurity to fame by setting a firebrand to this magnificent edifice, the glory of our Ephesus and of the world, which has been a sanctuary even to those who now wish for its destruction. Amidst these conflicting feelings I know how hard it will be to obtain a hearing for those who wish to clear away the pollutions and impurities of an undue worship, but to preserve the fabric unimpaired. It may tend to reconcile these parties to my proposition, however, that those who have opposed any general plan of reform should reflect that they have always said they were ready to correct a particular defect; and that those who are for the largest plan of reform should recollect that Sir Samuel Romilly, a warm Reformer, said a great object would be gained if only two or three Government boroughs should be destroyed, and that the Duke of Richmond, two years after he brought in his bill for universal suffrage, was the chief promoter of the bill for preventing corruption in the borough of Cricklade.

I will not now presume to enter on the abstract discussion whether uniform suffrage, or variety of suffrage, be the best principle of representative Government. But thus much I think is clear, that a system founded upon variety of suffrage is the more liable of the two to corruption and decay. If the principle of uniform suffrage be adopted; if, for instance, all persons of 100*l.* a year have a

vote, the system, whether good or bad, may continue always the same. But if the principle adopted be that of giving representatives to the largest cities and richest towns, it is not possible but that cities must lose their importance, and trade transfer its seat. It is for this reason I conceive that the ancient practice of our constitution allowed the greatest facilities for changing the places entitled to send Members to Parliament. As towns rose into importance they received a writ from the Crown, requiring their services in the great council of the nation: others, which fell into poverty and insignificance, obtained an exemption from this charge; Maldon, in Essex, for example, received a charter allowing the borough no longer to send burgesses to this House, on condition of maintaining a bridge. But there was another mode by which large and important districts received the right of taking part in the deliberations of the state. No one who has read the speech of Mr. Burke on conciliation with America can forget his description, as true as it is eloquent, of the manner in which the privilege of having representatives has been conferred at various times by Act of Parliament. Wales, for two hundred years, was vexed by rapine and violence: fifteen penal statutes were passed against that unhappy country: the remedy was at last discovered; it was representation. Chester suffered the evils of exclusion from the sympathy and protection of her Governors, and Parliament gave representation; Durham a long time after was found to suffer from the same evils, and representation was still the remedy. The case of Haverfordwest offers, perhaps, the most direct precedent for what I shall hereafter move; for eight years after a representation was granted to Wales, a special clause in an act of the 34th and 35th Hen. VIII. extended that privilege to Haverfordwest. In the Chester Act the preamble is most remarkable, and although before quoted, I cannot refrain

from reading it. 'To the King our sovereign lord, in most humble wise shown unto your excellent majesty, the inhabitants of your grace's county palatine of Chester, That whereas the said county palatine is and hath been always hitherto exempt, excluded, and separated out and from your high court of Parliament, to have any knights and burgesses within the said court; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and political maintenance of the commonwealth of their said country: and forasmuch as the said inhabitants have always hitherto been bound by the Acts and Statutes, made and ordained by your said highness and your most noble progenitors, by authority of the said court, as far forth as other counties, cities, and boroughs have been that have had their knights and burgesses within your said court of Parliament, and yet have had neither knight ne burgess there for the said county palatine: the said inhabitants, for lack thereof, have been oftentimes touched and grieved with Acts and Statutes made within the said court as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said county palatine, as prejudicial unto the common wealth, quietness, rest, and peace of your grace's most bounden subjects inhabiting within the same.'—Now, if any Member of this House should say, that to grant representatives to a part of the kingdom which has not hitherto enjoyed that right is a novelty in this country, I will refer him to this Act, and show him the principle consecrated in a statute more than three hundred years ago. Or if anyone should maintain that those who are not represented suffer no grievance, and require no redress, I will point to the preamble which I have just read, as an authentic and solemn record of the evils which flow from an exclusion from this House.

The wholesome practice of altering and enlarging the basis of representation continued till the end of the reign of Charles II. The Durham Act was passed in the twenty-fifth year of that King, and Newark was for the first time summoned by writ during that reign. At the era of the revolution this practice seems to have ceased. A day's proceedings in this House, which I need not detail, show that the great authors of the revolution seem to have been unwilling to disturb the state of the representation: they probably thought that, having cut off one of the three great branches of the Government, it would be unsafe to attempt a change in one of the other two, and that any further alteration might shake the frame of the whole constitution. This disposition, which they brought into the practice of administration, seems, at the time of the union, to have been introduced into the substance of the law. From that period it has been generally considered that the King no longer enjoyed the right of sending writs to unrepresented places, as the proportion between the two countries of England and Scotland would by that means be changed. But by this departure, a necessary departure perhaps, from the old custom of England, two great evils have been introduced.

The first is, that small decayed boroughs, finding their suffrages eagerly sought for, have sold their seats to the highest bidder. The second is, that towns and districts have risen to great importance from their trade, population, and manufactures, and have not been admitted to Parliament. A third evil, flowing from the two former, has also made itself very sensibly felt; namely, that the House of Commons has been found in various instances not to represent the people.

The first of these evils is too notorious to require that I should dwell upon it. In the instances of Shoreham, Cricklade, and Aylesbury, the abuse has been acknow-

ledged by the House. In that of Aylesbury, as it appears from the evidence, a mark of infamy was affixed to the houses of those voters who were too honest to receive the usual bribe. Now, it is a mockery to say that in such a case the present system 'works well.' One of the least evils which can happen is, that the managers of the borough apply immediately to the secretary of the treasury, who recommends two friends of undoubted solvency and approved steadiness. This is one of the most respectable modes of these boroughs being represented; yet even this secures the votes of the Members to Government, and the patronage of the treasury to the managers of the borough. But it often happens that speculators expend the surplus of their wealth, or sometimes their whole fortune, to obtain a return to Parliament. Their object in wishing for the honour of a seat in this House is often far from being the public good. They have either debts owing them by Government, which they require to be paid, or suspicious accounts which they wish to be settled; they either hope to repair their poverty with office, or to crown their fortune with a coronet. These are the men whom every good administration must dislike; for the necessity of conciliating their favour withdraws the Government from that which ought to be their wish,—the task of gaining the unbought approbation of their country. We are often told that the publication of the debates is a corrective for any defect in the composition of this House. But to these men such an argument can by no means apply; the only part they take in the affairs of this House is to vote in the majority; and it is well known that the names of the majority are scarcely ever published. Such members are unlimited kings, bound by no rule in the exercise of their power, fearing nothing from public censure in the pursuit of selfish objects, not even influenced by the love of praise and historical fame, which affects the

most despotic sovereigns; but making laws, voting money, imposing taxes, sanctioning wars, with all the plenitude of power and all the protection of obscurity, having nothing to deter them but the reproach of conscience, and everything to tempt the indulgence of avarice and ambition.

The second evil is easily ascertained by looking at the history of those towns which, during the last century, have grown up into importance. Thus, Manchester, which in 1778 had only 23,000 inhabitants, is now supposed to have 110,000. Leeds had, in 1775, 17,117; in 1811, 62,534. Birmingham had, in 1700, 15,032; in 1811, 85,753. Halifax had, in 1764, 41,000; in 1811, 73,000. Sheffield, in which the first brick house was built in 1696, had, in 1811, 35,840 inhabitants. Now, Sir, it is very evident that these places suffer a serious inconvenience from the want of representatives. It is said, to be sure, that they are represented by the Members for the counties in which they are situated. But those Members, however well inclined they may be to do their duty to their constituents, are often of different station and habits of life. They have not the knowledge requisite for stating the grievances and the wants of manufacturers. And when we consider how many questions relating to trade, to the poor-laws, to the laws of combination, and of particular taxes, deeply affect the manufacturers, we cannot but allow the justice of their desire to be represented. Even should their grievances not be redressed, it will be a satisfaction to them to have their direct representatives in this House, who can state their complaints in the face of the ministers and of the nation. Sir, when this argument was pressed in 1782 it was victoriously answered, 'Where is the petition from Manchester? Where is the petition from Sheffield?' I am aware that the argument now used will be very different. It will be said that the people

of these towns are too clamorous; that we must not give way from fear. In answer to such an argument I would apply to the people the observation made by a right hon. Gentleman (Mr. Plunkett) on the depositaries of power; 'we must not be too critical in examining their conduct.' We must recollect that we are their representatives. But if we should say to them, 'Formerly we would grant you nothing because you did not ask; and now we will grant you nothing because you ask too loudly:'—if such should be the language used, this House, instead of being what Mr. Burke says it ought to be,—'the express image of the feelings of the people,'—will appear to be a hard-hearted and capricious governor.

It has been said by some persons that to give the elective franchise to the large towns, would be to introduce tumults and affrays. Such an argument, one should have thought, was not produced in England, but came from Naples or from Spain; and indeed it is such as I have often heard from the mouths of the Spanish clergy. But in England experience has taught us that, so far from occasioning bloodshed, elections have tended to give a vent to the political animosities of the place, and after a violent canvass and tumultuous poll the air has been cleared by the storm, and settled into serenity. Perhaps if there had been elections at Manchester we should not have had to lament the unfortunate events which we all deplore. Sir, on this subject I may quote the example of Westminster. It is not a year ago that my hon. Friend near me (Mr. G. Lamb) excited the most outrageous disapprobation, being supposed to be the organ of an odious coalition. But he has no sooner shown himself attentive to the interests of this city, and a warm friend to the rights of the subject, than his appearance excites everywhere good humour and applause. We have been very lately told that education, which ought to be a blessing, has been injurious to the

population of the manufacturing districts. Sir, the fault is not in education: it is in the time and the circumstances which have accompanied it. Had the people received instruction when they were rich it would have taught them frugality; had they received political rights at the same time they would have learnt the value of legal liberty. But they have received education when they were sinking into poverty, and they have received it without being admitted to political power; they have eaten of the tree of knowledge, like our first parents, only to be conscious of their nakedness.

I come now to the most difficult part of the subject, namely, the separation which has on some occasions taken place between the opinions of the people and the declared will of the House of Commons. I am aware of an objection urged by a right hon. Gentleman opposite, that those who ask for moderate reform state the evil as broadly as those who ask for the most extensive reform. This fault I would endeavour to avoid. I do not wish to create illusion, and therefore I do not pretend to say that reform would make our Government less inclined to war, which, it must be remembered, is the cause of our chief burthens. A fondness for war is not the fault of an oligarchical, but of a popular Government. If we look to late events, we shall see that the French war was popular in its commencement; the American war was popular in its commencement. True, these wars would have been sooner discontinued if the voice of the people had been listened to; but then, on the other hand, the long administration of Sir Robert Walpole would hardly have passed in peace with a more popular assembly. If we look farther back in our history, we may observe, that when we speak of our Edwards, and of our Henries, we dwell with the greatest delight upon those of our Kings who had the greatest disposition for war, and the greatest opportunities

of indulging it. If we look to other countries we may see that Venice and Genoa, two popular states, sent their fleets round Italy for the purpose of meeting in destructive contests. If we look farther back, to the great republics of ancient times, we shall see that Athens ruined herself by failing in the subjugation of Sicily, and Rome by succeeding in the conquest of the world. We may, therefore, state that the wars in which this country has been engaged would still have been undertaken if the will of the people had been entirely consulted; and this view is confirmed by looking at the large proportion of county Members who voted in the great majorities which have sanctioned our two last wars. Indeed, we might almost say, it is impossible that an assembly acting in the face of the people, *vulgi stante corona*, should continue, by immense majorities of every class of Members, to sanction, year after year, a policy which created immediate and enormous burthens upon the people, entirely against the feelings of that people. Such a system could hardly continue even in the most despotic state; and it is only by carrying the feelings of the people with them, that a free Government can lay on greater taxes than an arbitrary King. So firmly persuaded of this truth was Montesquieu, that he has devoted to it a whole book of his immortal work.

But, Sir, there are other questions materially affecting the interests of this country which are not equally decided by a deference for public opinion; amongst them are those questions which regard the expenditure, and are under the eye of this House in its important capacity of guardian of the public purse. In looking at the divisions on this subject we shall find that at the periods when those questions were most interesting, and excited the greatest attention, the majorities, instead of being as large as they have been on questions of war, have been singularly small; and on farther examining those majorities we shall find,

that, instead of being formed of the fair proportions of county and borough Members, they consisted almost entirely of the latter. On the famous motion of Mr. Dunning, in 1780, which was carried by a majority of 18, there appeared in the majority, consisting of 233, the large proportion of 69 county Members; in the minority, consisting of 215, only 11 county Members. This question, however, it may be said, was carried; but there was another division, of which I will read an account from a letter of Sir George Savile, which I have seen quoted in another place: 'The most uncourtly question we have had this year was, when after having voted the influence of the Crown increased, &c., we moved to address the King not to prorogue or dissolve us till we had effectually diminished it: we lost it in the proportion of six to five. In this question, the House being divided into classes, showed itself in the following proportions: county Members about three to one, the three being on the side of the minority; English borough Members, about four to three, the four being on the side of the majority; the Members of a certain long county, which sends a great many, eight or nine to one, at the least; Scotch Members, nine or eight to one at the least; Cinque Ports, about four to one.' On referring to what took place two years ago, we shall see that questions of a similar nature were then proposed in this House. In the beginning of 1817, there was a great cry for economical reform; in order to meet this cry the Ministers proposed a Finance Committee. I do not blame them for so doing; for I think that the finances of this country are now so complicated that they cannot be well examined except in a Committee. Upon the composition of this Committee, it is evident, depended the question whether our expenditure should be rigorously examined and honestly corrected, or whether the same system of waste and extravagance should be continued and con-

firmed. If it was to be composed of independent and impartial men, we might expect the most useful results; if of the followers of Ministers we could only look to laboured but flimsy apologies of the existing system of profusion. Sir, the proposal of Ministers was, that besides a great majority of ministerial supporters, five official persons should be members of the Committee, in order to see all right. A division took place on the question of substituting the name of a country gentleman for that of Lord Binning: for Ministers there appeared 178, of whom 15 were county Members; on the other side were 136, of whom 27 were county Members. The consequence was, as might have been expected, that the reports of the Finance Committee were totally disregarded by the people. On February 28, the same year, a division took place on the reduction of two junior Lords of the Admiralty; when, of 208 who voted with Government, 16 were county Members; of 152 who voted for the reduction, 35 were county Members, being more than double. Now, I do not mention these things as proving that county Members alone ought to form the House of Commons, but as an index how totally opposite the decisions of this House have been, on some occasions, to those of the people. In support of the same thing I may mention, on the authority of Mr. Fox, that, although the Opposition were the popular party in 1780, yet they gained very few Members by the general election. Even the last general election, decided as the voice of the people was, did not take much from the strength of the Ministry.

I come now to the resolutions which I shall have the honour to propose. The two first declare that when a borough is convicted of gross and notorious bribery and corruption, it shall cease to send Members to Parliament, and that a great town or county shall enjoy the right it has forfeited. On these heads I have nothing to add.

The third declares, 'that it is the duty of the House to consider of further means to detect and prevent corruption in the election of Members of Parliament.' The meaning of this resolution is, that some means ought to be devised to give greater facilities in proving corruption in the elections in the smaller boroughs. Perhaps any person, not a candidate or a voter, ought to be allowed to complain of bribery in an election. The further meaning of the resolution is, that a body appointed by this House ought to be enabled to decide that a borough has lost by corruption its right of sending Members to Parliament. Some persons think that this body ought to be a Committee appointed under the Grenville Act; and some are of opinion, that a second Committee ought to be appointed. It is in order to avoid pledging the House on this subject, that the resolution has been expressed so generally. On this part of the subject I hope the House will receive the assistance of the Member for the county of Montgomery (Mr. Wynn), who, besides his learning, has hereditary claims to authority on this question.

The last resolution declares the opinion of the House, that the borough of Grampound ought to be disfranchised. The corruption of that borough was clearly proved before a Committee of the whole House in the last session of Parliament, and resolutions appear on the Journals to that effect. The question that remains is, whether Grampound ought to be thrown into the hundred. Now, supposing that all the principles I have endeavoured to establish are false, that all the wants of other districts are imaginary, I still think that there is enough in the peculiar situation of the hundred in question to prevent its receiving from Parliament the return of the two members which Grampound is unfit to send. The hundred of Powdar, in which Grampound is situated, is one of the most fertile of the whole kingdom in Members of Parliament.

It contains Tregony, Truro, Lestwithiel, Fowey, and Grampound, besides three out of five voters of the borough of St. Michael. It will scarcely be contended by any one, I imagine, that the hundred of Powdar is not sufficiently represented. Why, then, since Cornwall is in no want of representatives, and the hundred in which Grampound is situated is already overstocked,—why not, I say, transfer the right of sending two members to a populous town? I know but of one objection, namely, the common one, that the innocent will suffer with the guilty. And the only answer I shall give will be in the words of Dr. Johnson, in an argument with which he furnished his friend Mr. Boswell on the subject of a Scotch borough: 'The objection,' he says, 'in which is urged the injustice of making the innocent suffer with the guilty, is an objection not only against society but against the possibility of society. All societies, great and small, subsist upon this condition,—that as the individuals derive advantages from union, so they may likewise suffer inconveniences; that as those who do nothing, and sometimes those who do ill, will have the honours and emoluments of general virtue and general prosperity, so those likewise who do nothing, or perhaps do well, must be involved in the consequences of predominant corruption.'

And here, Sir, I might close my case, were it not that a question has been asked by a gentleman, lately a candidate for the city of Exeter, which it is incumbent upon me to answer; and the more so, because I have no doubt that the same feeling has arisen in the breasts of some whom I most deeply love and respect. The question is, why not disfranchise also the unconvicted boroughs? To this I answer that I do not by any means maintain that the resolutions I now propose comprise all the amendments that can be made in the frame of this House. Whenever a specific proposition is made I shall be ready to give it all my attention, and if I can approve of it to adopt it.

But I do not at present, I confess, see any rule by which any unconvicted boroughs can be disfranchised without disfranchising the whole. We then arrive at what is called a reform upon a principle, or the reconstruction of the entire House of Commons. Now, Sir, I will not dwell upon the arguments which are generally used to repel such a proposition: arguments resting chiefly upon the advantage of admitting men of talent into this House by means of the close boroughs; and on the danger that an assembly of popular delegates would overthrow the two other branches of the Legislature. But I cannot forget that these arguments have been urged, not as some out of doors endeavour to persuade the people, by boroughmongers anxious to defend their own vile interests, but by some of the greatest, the brightest, and the most virtuous men whom this country ever produced. I cannot say, however, that I give entire credit to these arguments, because I think that in political speculation the hazard of error is immense, and the result of the best formed scheme often different from that which has been anticipated. But for this very reason I cannot agree to the wholesale plans of reform that are laid before us. We have no experience to guide us in the alterations which are proposed, at least none that is encouraging. There is, indeed, the example of Spain. Spain was formerly in the enjoyment of a free constitution; but in the course of the fifteenth century many of the towns fell into the hands of the nobility, who, instead of influencing the elections of Members to Cortes (the practice so much reprobated in this House), prevented their sending Members at all. The consequence was, that when a struggle took place between the King and Cortes, the aristocracy, feeling no common interest with the representative body, joined the Crown, and destroyed for ever the liberties of their country. There is also the example of the present French constitution; but that is of

too recent a date, not to say of too precarious a nature, to make a rule for us to go by; we must come back then to our own laws. The constitution of this country is not written down like that of some of our neighbours. I know not where to look for it, except in the division into King, Lords, and Commons, and in the composition of this House, which has long been the supreme body in the State. The composition of this House by representatives of counties, cities, and boroughs, I take to be an intimate part of our constitution. The House was so formed when they passed the Habeas Corpus Act, a law which, together with other wise laws, Mr. Cobbett himself desires to preserve, although, with strange inconsistency, whilst he cherishes the fruit he would cut down the tree. This House was constituted on the same principle of counties, cities, and boroughs, when Montesquieu pronounced it to be the most perfect in the world. Old Sarum existed when Somers and the great men of the Revolution established our Government. Rutland sent as many members as Yorkshire when Hampden lost his life in defence of the constitution. Are we then to conclude that Montesquieu praised a corrupt oligarchy? that Somers and the great men of that day expelled a king in order to set up a many-headed tyranny? that Hampden sacrificed his life for the interests of a boroughmongering faction? No! The principles of the construction of this House are pure and worthy. If we should endeavour to change them altogether, we should commit the folly of the servant in the story of Aladdin, who is deceived by the cry of 'New lamps for old.' Our lamp is covered with dirt and rubbish, but it has a magical power. It has raised up a smiling land, not bestrode with overgrown palaces, but covered with thickest dwellings, every one of which holds a freeman enjoying equal privileges and equal protection with the proudest subject in the land. It has called into

life all the busy creations of commercial prosperity. Nor, when men were wanting to illustrate and defend their country, have such men been deficient. When the fate of the nation depended upon the line of policy she should adopt, there were orators of the highest degree placing in the strongest light the argument for peace and war. When we were engaged in war we had warriors ready to gain us laurels in the field, or to wield our thunders on the sea. When, again, we returned to peace, the questions of internal policy, of education of the poor, and of criminal law, found men ready to devote the most splendid abilities to the welfare of the most indigent class of the community! And, Sir, shall we change an instrument which has produced effects so wonderful for a burnished and tinsel article of modern manufacture? No! Small as the remaining treasure of the constitution is, I cannot consent to throw it into the wheel for the chance of obtaining a prize in the lottery of constitutions. There is yet another person who resembles Nestor in nothing but his age, who tells us that the people have a right to universal suffrage, which is derived directly from Heaven. No one is more inclined to allow the most extensive rights to the people than I am. I allow that they have a right, if they will, to overthrow their Government; that they have a right, if they will, to exercise the sovereignty collectively. But representation is the invention of society, and I cannot allow that the people have any natural right to meet in their parishes and choose Members of Parliament by putting white and black beans into a box.

Sir, I have but one word more. It is to entreat the Government, whether they accept of these resolutions or not, to adopt some measure tending to conciliate the people. The history of all free States, and particularly of that one on which Machiavel has thrown the light of his genius, demonstrates that they have a progress to per-

fection, and a progress to decay. In the former of these we may observe that the basis of the government is gradually more and more enlarged, and a larger portion of the people are admitted to a share of the power. In the latter, the people, or some class of the people, make requests which are refused, and two parties are created, both equally extravagant and equally incensed. In this state, when the party which supports the Government loses all love and respect for liberty, and the party which espouses liberty loses all attachment and reverence for the Government, the constitution is near its end. Without any common attraction to the established laws of their country, each is ready to call in force to subdue the other; and it is in the power of an ambitious king, an ambitious general, or an ambitious demagogue, to extinguish the liberties of his country as easily as these lights above our heads will be put out after the debate. I now beg leave to move the following resolutions:—

1. 'That it is expedient that all boroughs in which gross and notorious bribery and corruption shall be proved to prevail, should cease to return Members to serve in Parliament; provision being made to allow such of the electors as shall not have been proved guilty of the said offence to give votes at any election to be held for the county in which such boroughs shall be respectively situated.'

2. 'That it is expedient that the right of returning Members to serve in Parliament, so taken from any borough which shall have been proved to have been guilty of bribery and corruption should be given to some great towns, the population of which shall not be less than 15,000 souls, or to some of the largest counties.'

3. 'That it is the duty of this House to consider of further means to detect and prevent corruption in the election of Members of Parliament.'

4. 'That it is expedient that the borough of Grampound, in which gross and notorious corruption has been proved to prevail, do cease to send Members to this House.'

Thursday, April 25, 1822.

LORD JOHN RUSSELL rose and addressed the House as follows:—Mr. Speaker; I rise for the purpose of moving a resolution, 'that the present state of the representation of the people in Parliament requires the most serious consideration of this House.' Should I be so fortunate as to succeed in this Motion, I shall then move for leave to bring in a Bill for the more effectual representation of the people in Parliament. In bringing this subject before the notice of Parliament I naturally feel considerable anxiety; not anxiety lest I should fail to impress upon the House the importance of a question affecting the formation of the governing body of this mighty Empire—a question which, if carried, involves, as some think, the ruin, but as others, and, according to me, a majority of the people believe, the salvation of the country; but anxiety and apprehension lest the weakness of the person who presumes to bring forward the Motion, should be thought unequal to a discussion of such magnitude. It will be an additional weight upon me, in urging arguments which I think are in their nature irresistible, to consider how often those arguments have been enforced by men of the highest talents—men entitled to the veneration of the House and of the country.

On the other hand, if I may venture to speak of myself, I feel some encouragement to proceed, in the recollection that I have served an apprenticeship, so to term it, in the cause of Reform; that I have thus had occasion to consider the subject in its various forms and bearings; and

that, in bringing forward a part of the question of Reform more than two years ago, although I never for one instant allowed it to be imagined that the small alteration I then proposed contained my utmost wishes, I yet professed myself inclined rather to support the reforms of others than to originate any general proposition myself. I therefore claim some credit for deliberation when I say that a careful investigation of the subject induces me to lay before the House the reasons and the principles upon which, in my mind, a more extensive Reform may be safely founded. I am likewise encouraged by the propitious fitness of the present time for entertaining such a Motion. The question has been so often met and turned aside by fears of Jacobinism in foreign nations, or of tumults at home, that I feel it a great advantage to be able to say that our present state of external peace and internal tranquillity affords opportunity for ample and undisturbed discussion.

There is another circumstance which ought to weigh in favour of the Motion I am about to make—I mean the number of petitions for Reform of Parliament which have been pouring into this House since the beginning of the session. This fact shows the value which the people at large attach to this question, and the eagerness with which they look forward to its success. Petitions have this year been presented to the House from the counties of Middlesex, Devon, Norfolk, Suffolk, Bedford, Cambridge, Surrey, and Cornwall, all praying for Reform in Parliament. In the county of Huntingdon a petition to the same effect has been voted. Petitions have also been presented in great numbers from separate towns for the same object; and the petitions which have been presented for the liberation of Mr. Hunt nearly all contain a petition for Reform: thus showing that the vast number of persons who embraced opinions in favour of this measure some

years ago, maintain their wishes unchanged, and their judgment unshaken.

Whilst this anxiety in the country for Reform in general encourages me in the task I have undertaken, I feel it to be a circumstance no less propitious, that the petitioners do not ask exclusively for any one plan of reformation. It may be remembered that a few years ago all the petitions prayed for universal suffrage; but at a meeting in the present year of the county of Middlesex, a meeting which might be supposed to bring together all classes of reformers, when a venerable advocate of the cause of Reform proposed a petition for universal suffrage he could find no one to second him. That single circumstance shows the disposition of the people to ask for Reform as a cure for abuses existing, and not as a fanciful untried measure, of which in their own minds they have some vague conception: it shows their inclination to accept from this House any reasonable system of amendment, subject to such an interval of deliberation as the importance of the subject may appear to demand.

Under these impressions, I come to consider what it is that the petitioners ask. I think I am borne out in saying that what they ask is nothing new; no innovation upon the constitution; no change in the existing laws; they simply pray that the functions of granting supplies of money, of appealing for the redress of grievances, of giving advice to the Crown, in short, all the legal functions of a House of Commons, should be exercised by the true representatives of the people. This is the language of the petitions, and it is the undoubted language of the constitution. The question to be tried therefore is, not whether in law the House ought to be the representatives of the people, but whether in truth they now are so. It is a simple question of fact, which the House is called upon to decide. Considering, therefore, that as to the

constitutional right of the people to representation no doubt or question can exist, I shall not consume the time of the House in discussing all the wild theories which have been framed upon that subject. Among others, I shall entirely neglect the theory that the House of Commons ought to represent, not the people alone, but the Crown and the House of Lords, as well as the people. Surely nothing can be more dangerous than the admission of such a theory. Nothing can be more absurd than to think that the balance of the Constitution, instead of existing in King, Lords, and Commons, should be found in the House of Commons alone: for how, if such a system could be allowed to prevail, would the country ever be sure that the balance was adjusted? How could the people have any security that the Crown and the House of Lords had not a majority, and that the true representatives of the people were not, by comparison, few in the assembly which professes to be sent by them alone? Where then would be their guarantee, that their wishes and their interests might not be entirely neglected in a House called the House of Commons, instituted for the purpose of gathering their wishes and protecting their privileges? Throwing this theory aside, therefore, I shall consider this House as the House of Commons only, and its members, not as delegates of the various branches of the Constitution, but as forming one branch only. In rejecting theories I shall likewise lay out of consideration all those plans which require an entire reconstruction of the House of Commons; not that I do not think such plans extremely proper to be discussed, but that I imagine the benefits I seek may be obtained by a smaller change; and I think every reformer must agree with me, that if it could be proved we should obtain the advantages we desire by a lesser change it would be unwise to attempt a greater.

Throwing aside, then, such theories entirely, I come to

the question of fact which I have suggested to the House, and it becomes necessary, in order to our right decision, to take into consideration, on the one hand the state of the House, and, on the other, the condition of the people. If I can show that the condition of the people has materially changed, and that the change in the state of the House has not been agreeable to that change in the state of the people, but of a very different and opposite tendency, I trust it will be allowed that the House and the people have no longer that accordance which they ought to have, and that some remedy is required; but if I farther show that this discrepancy has made itself evident by acts which the House has done, and which the representatives of the people never could have sanctioned, then it must be admitted, not only that there are abuses to be reformed, but that duty and love of their country command the House immediately to begin the work.

Without entering into detail farther than is absolutely necessary, it cannot be denied that the people of England have undergone a considerable change during the last forty years. The wealth of the country during that period has very considerably increased. The fact, which was mentioned early in the session by my hon. Friend the member for Winchelsea, that our expenditure during the last two years of war was 270,000,000*l.*, while it showed the immense expenditure of government, showed also the very great wealth and resources of the people. That wealth and those resources, widely diffused, have had a tendency to increase the importance of the middle classes of society, classes that stand in a peculiarly fortunate situation, equally removed from poverty, which is too often the parent of crime, and from idleness, which is proverbially the mother of vice. Free alike from the temptations created by want, and from those suggested by indolence, they find in decent competency and useful occupation the guardians of their morality. Politically

speaking, they are intimately connected with the classes above and below them, and are, therefore, not liable to partake either of that disregard of the poor which sometimes disgraces the rich, or that hostility to the rich which unfortunately is apt to find its way among the poor. Thus forming themselves the best class of the community, and at the same time zealous for the welfare of the others, they constitute one of the most solid pillars of the State, and I know not that I could select a better sign of the future prosperity of a country than the wealth, comfort, and intelligence of its middle orders.

Another cause of the improvement of the country is the great increase which has occurred of late years in our manufactures. From the year 1785 to 1792, the average amount of our exports of British manufactures was about 13,000,000*l.* a year. From 1792 to 1799, it was 17,000,000*l.*; but the exports of the year 1821 are stated to amount to 40,000,000*l.* When to this is added the still larger consumption of our manufactures at home, and when it is considered that out of these 40,000,000*l.* our export of cotton goods amounted to 23,000,000*l.*, our woollens and linens to 7,000,000*l.*, it must be inferred that a very large proportion of the inhabitants of the country subsist by those manufactures. I will not now dwell upon this new phenomenon in the state of the country, but for the present confine myself to a statement of the fact.

With this immense increase in manufactures and commerce, the dissemination of instruction and the improvement in knowledge have advanced even in more than equal proportion. Indeed, this is a circumstance which must strike the most careless observer, from the vast increase of books, and the very high prices which are paid for the exercise of literary talents. From the immense distribution of works of every description through-

out the country, one would infer that, as the opportunities of information are thus increased, the education of the lower classes must be enlarged in the same proportion. Being curious to gain some information on this subject, I some time ago applied to an eminent bookseller's house in the city, from which I learned a number of interesting facts. I will state to the House one, which will of itself be sufficient to prove the astonishing extent to which books are circulated throughout the country. From the firm to which I applied I learned that their own sale amounted to 5,000,000 of volumes in the year, that they employed 60 clerks, paid a sum of 5,500*l.* in advertisements, and gave constant employment to not fewer than 250 printers and bookbinders. Another great source of information to the country is the increase of circulating libraries. In the year 1770 there were only 4 circulating libraries in the metropolis; there are at present 100, and about 900 more scattered throughout the country. Besides these, there are from 1,500 to 2,000 book clubs, distributing throughout the kingdom large masses of information on history, voyages, and every species of science by which the sum of human knowledge can be increased, or the human mind improved. Here I may also remark on the increase of periodical works. Of these there are two (the 'Edinburgh' and the 'Quarterly Reviews') many articles in which are written with an ability equal to some of the best original writings of former times, and having a greater circulation than all the periodical works of thirty years ago put together. Besides these there are five periodical works of science only, all in great demand. And here, to show that the demand for such works is not confined to the vicinity of the universities alone, I will mention that a friend of mine travelling through Inverness was enabled to procure, at a small shop, a journal of science and a number of the 'Encyclopædia,' but afterwards, when

in passing through Oxford he applied for the same books, he was told that they were not to be had unless previously ordered.

While so many and such fruitful sources of information are thus opened to the higher orders, the means of improving the minds of the poorer class have advanced at a pace not less rapid or less steady. First came the establishment, about twenty-five years ago, of the Lancastrian schools, which have distributed so widely the blessings of early instruction; and after these followed the no less beneficial system of national schools, which afford to the poor of every class education suitable to their state and condition in life. In addition to those means of improvement another has been opened, not less advantageous to the poor—I allude to the great facilities which at present exist of getting the most valuable works at a rate so very cheap as to bring them within the compass of all. Some time ago an establishment was commenced by a number of individuals, with a capital of not less than 1,000,000*l.*, for the purpose of printing standard works at a cheap rate. By that establishment the History of Hume, the works of Buffon, the 'Encyclopædia,' and other valuable productions were sold in small numbers at sixpence each, and by this means sources of the highest and most useful instruction were placed within the poor man's reach. I regret much to add that this valuable establishment was very much checked in its operation, by the effect of one of those Acts for the suppression of knowledge which were passed in the year 1819. I regret this the more, as one of the rules of that establishment has been, not to allow the venders of their works to sell any book on the political controversies of the day.

In noticing the means which have contributed so much to the mental improvement of the great body of the people, I ought not to omit noticing the very good effects which

have resulted from the exertions of the Bible Society, the Religious Tract Society, the Society for the Dissemination of Christian Knowledge, and other valuable associations of similar character. Since the commencement of the Bible Society, it has applied the immense sum of 900,000*l.* to the laudable purpose of disseminating the knowledge of the Scriptures. From the Religious Tract Society not fewer than 5,000,000 of tracts are distributed annually, and the Society for Christian Knowledge distributes 1,000,000. These facts will show the rapid strides which have been made by the public in the improvement of general knowledge.

I will now come to the state of political knowledge in the country. This has been greatly augmented by the extraordinary increase in the circulation of newspapers. Some time ago I moved for a return of the number and circulation of the several newspapers printed in London and in the country. That return has not been made in the manner in which I had intended; but from the account I was enabled to procure, it appears that there were not less than 23,600,000 newspapers sold in the country in the last year. Of these the daily London papers sold above 11,000,000, the country papers above 7,000,000, and the weekly papers above 2,000,000. From another source I have been enabled to procure more particular information as to the increase in the number of papers within the last thirty or forty years, the substance of which I will read to the House.

	In the year 1782.	In the year 1790.	In the year 1821.
In England	50	60	135
In Scotland	8	27	31
In Ireland	3	27	56
London Daily	9	14	16
Twice a Week	9	7	8
Weekly	0	11	32
British Islands	0	0	6
	79	146	284

making in the whole the increase in the number since 1790, from 146 to 284, which is very nearly double in the space of thirty years.

Having made these statements, from which the House will judge of the vast increase of the wealth and importance of the country, and of the rapid strides it has made in moral and political knowledge, I will now come to the other part of the inquiry—namely, whether the state of Parliament is also changed, so as to represent this increased importance of the middling, the manufacturing, and the commercial classes. In proposing this inquiry, I will state broadly that not only is the House bound to consider whether Parliament represents this increased importance, but also whether the Government generally keeps up with the increase in strength and knowledge of the people; for I will assert that no Government can be stable which does not keep pace with the increasing improvement of the people over whom it presides; and that any Government which fails to make such advances must soon come to final ruin. I take these to be positions so trite, and even so self-evident, that I should not have thought it worth while to recall them to the attention of the House had not another and a very different theory recently found its way within these walls—I allude to what has fallen from the most liberal Member of His Majesty's Cabinet, one who I believe really takes an interest in the progress of liberty. That right hon. Member has urged the increased information of the people as a defence of the existence of certain offices, which could be defended on no other ground. Now to assert that, in proportion as the people asked for more economy there should be more waste, in proportion as they became more honest there should be more corruption, in proportion as they became more enlightened they should have a Government less able to bear investigation, are propositions so

monstrous and absurd, as must in their very nature tend to the destruction of any Government they are meant to support. And yet such is in fact the meaning of the defence which has been set up in this House, that a useless office should be continued because the intelligence of the people had increased. If such propositions are followed up, they will have the certain effect of rendering the Government odious in the eyes of the people—of making them doubt the value of a monarchy, and even indifferent to the destruction of our constitutional form altogether.

But to come to the question—the present state of the Parliament of the country, and the relation it bears to the improved condition of the people. In looking at this part of the question, I was struck with the remark made by Mr. Justice Blackstone, who, in referring to the defects of the representation, says, that yet there was hardly a free agent in the country who had not a vote for a Member of Parliament in some place or another. Now, it is not to be supposed that that able commentator on our laws would have gravely made a statement which was at variance with the fact, and therefore his assertion must have had some foundation at the time at which he wrote; but let the present state of the representation be compared with the statement, and what a difference will be seen! We have now not only one free agent, but there are in the country at least one million of free agents—men perfectly free and independent, who have no vote for a Member of Parliament, though anxious to acquire the right, and in every way qualified to exercise the functions of electors. On a former occasion, when this subject was before the House, it was stated, and not denied, that a majority of the Members of this House are returned by a body of electors not fully 8,000 in number—a fact utterly at variance with the

increase which has taken place in the numbers, the wealth, knowledge, and consequent importance of the people of the country. But if we look a little farther, and go a little more into detail on the subject, we shall find that while the people go on rapidly improving, the basis of this House is gradually becoming more narrow; and, instead of embracing the whole of the community as the source of their representative character, is dwindling into a sort of self-elected corporation, depending on a very small portion of that community. In making this remark I do not mean to say it is applicable generally to the Members of this House, but it is applicable to a majority, able to influence the decision of every vote of the whole.

First, with respect to the county Members. I have already observed that a great increase has taken place in the middling orders—in the commercial and manufacturing classes; but there is no commensurate increase in the number of county Members. Out of 513 Members (for England), there are only 92 who represent counties; and, even with respect to that number, the full and free expression of the opinions of those who have a right to vote is impeded by a variety of circumstances. Among these I will notice the enormous expenses attendant upon contested elections for counties. I will instance the county of Devon, where some freeholders have to come forty miles at each side of Exeter to give their votes. The consequence of this is, that, as few fortunes can bear the immense charges of a warmly-contested struggle, there is usually a compromise, and one Member is returned by each party, though the numbers of one party may be five or six to one compared with the other. Another circumstance injurious to the state of the representation is caused by the great number of landed proprietors whom Mr. Pitt so improvidently raised to the dignity of the Peerage. The result was, that those of the landed gentry

who remained in the representation of the Commons did not form a body sufficiently strong in name and property to resist the votes of those who were swayed by private interests. For my own part, I am of opinion that if only the great landed proprietors were Members of this House, even if they held their situation as such for life, they would, provided their proceedings were constantly exposed to the criticism of public opinion, be found a more valuable safeguard for the liberties of the people than the House as it is at present constituted. I will even venture to assert, that if the House of Commons were abolished altogether, and the public business transacted by the House of Lords, it would soon become more popular, and obtain more of the reverence of the people, than ever will be given to the House of Commons in its present state. My opinions on this subject are founded on the principle that those who hold a great stake of property in the country will never consent to any measure of importance against the declared sense of the public, or which can irritate the people to resistance. I am convinced of the truth of this remark, when I recollect what occurred in the case of the Queen, when the Lords showed a deference to the well-known feelings of the people more evident than any instance I can recollect in the House of Commons.

I next would call the attention of the House to the representation of the large towns. In some of these there is a full and free exercise of the opinions of the electors; and in those instances they return men of independence to Parliament: but in very many others the elections are so managed, and the rights of the voters so abridged, either by votes of this House, or by usurpation of small corporate juntas, that by degrees the number of voters is diminished, while the influence of many of those who remain is absorbed by the intrigue of corporate bodies. I will mention as an instance Plymouth, which in the reign of Charles II.

had 7,000 inhabitants, of whom 300 had votes for its Members. The population has since increased to 60,000, while the number of electors is reduced to 200. I might instance other places, such as Bath and Cambridge, where the elections are managed by a small number of persons, sometimes not even resident in the towns, but who still contrive to direct the elections as they please.

I now come to notice the small towns or boroughs which return Members to Parliament. Of these there are 140, containing less than 5,000 inhabitants each. (In all my calculations I only include England.) By these 140 boroughs 280 Members are returned to Parliament, making a clear majority of the House in the sense to which I have just alluded. Of those small towns there are 40 which contain from 3,000 to 5,000 inhabitants, and 100 less than 3,000 each. I believe that the system which prevails in most of these places, and particularly in the Cornish boroughs, is pretty notorious. I could, if I did not fear to fatigue the attention of the House, and if the thing were not so well known, read a number of letters clearly showing many instances in which the return of Members to this House was procured by money only, by bribery the most direct: but the thing is so commonly acknowledged, so universally allowed to be the case, that it would be taking up the time of the House unnecessarily. In the last year it was admitted that out of 44 Members returned for the several boroughs of Cornwall, there were only five who were natives of that county. In another place it was urged by a Minister of the Crown as an argument against granting the forfeited franchise of Grampound to Cornwall, that the boroughs of that county represented the commercial interests; and it has even been quoted as a proof of the elasticity of the Constitution, that it can thus take in and represent the new interests and the new property of the country. Good God! And is

this the way in which the representation of the new interests, and the new property of the country, is to commence? I beg the attention of the House to this practice, to its origin, and to some of its consequences: and then I will ask any man who respects the Constitution to say, whether the new interests, the increased wealth and importance of the country, ought to be so represented? This new representation is commenced by an open violation of one of the most sacred laws of Parliament. To this is added wilful and corrupt perjury; and in the train of these there follow drunkenness and almost every species of immorality. But with all these disadvantages, with this contempt of law, this gross immorality, does the system produce anything like representation? It does no such thing. There is no community of interests between the elector and the elected: the elector is utterly indifferent to the character, conduct, or sentiments of the man for whom he votes; and when once the price of that vote is paid, it is to him a matter of no earthly consequence whether his purchaser is a Tory or a Whig, whether he has sworn allegiance to the House of Stuart or the House of Brunswick, or even the Nabob of Arcot, whether he is a supporter of despotism or a friend to liberty.

One of the worst consequences of this system is the possession of power without responsibility. In fact, the individual, thus buying himself in, represents only the commercial house to which he belongs. I remember on one occasion a Member who had got into the House by dint of money, and who was afraid lest I should criticize the means by which he had obtained the seat, came to me, and assured me that he had no wish whatever to enter Parliament, but that he did so to oblige his partners in trade. Now, that is exactly the kind of representative which I do not wish to see in this House. I do not wish to see men returned here for commercial houses, repre-

senting only their partners, and naturally anxious to oblige Government and support its measures, in order to procure patronage and favour for their establishments. I do not mean to say that this was the case with the gentleman to whose case I have alluded; but I know that there are Members who procure seats in this House for no other purpose but that of assisting the commercial houses with which they are connected. It is well known that in the war there were many good things to be given away, which it was of course a great object with commercial men to procure. There was a license for trade to the West Indies given to one house, which I am informed was worth at least 15,000*l*. Is it not natural to suppose that such a grant must give no small bias in favour of Government, to the political sentiments of the parties?

Another circumstance arising out of the representation of the small boroughs is, that it is generally procured by the supporters of Government. There are few who would wish to expend such a large sum of money as will buy a seat in Parliament for the pleasure of constantly voting in minorities. Many of those who are returned for these places may have a conscientious disposition to support the measures of Government, and therefore come into Parliament, in order, by such support, to forward the interests of their country. Others come in with the view that, by assisting the Minister, they may obtain a share of his patronage. But whatever may be the views of those who procure a seat in this House, in order to support the Government, whether conscientious or corrupt, it is interest, and interest alone, which induces the greater number of the immediate patrons of these boroughs to apply to Ministers for a candidate. The attorney who has obtained an influence in a corrupt borough—the middleman, who performs the disgraceful office of handing over the bribe—keeping half as a fee for himself—from the elected to the elector, has no better way of preserving his

hold on the borough, than by obtaining the disposal of Government patronage in the place and its neighbourhood. He goes to the Minister to offer the seat: the Minister recommends his friend: his friend, sometimes assisted by the Minister, pays his money for the seat. Thus a permanent connection is established between the Minister and the borough patron; the one secures a Member to support him in Parliament, the other confirms his own possession in the lucrative property which produces Members of Parliament.

Besides this general connection, it is notorious that some of the small boroughs are so overrun with Ministerial patronage as to be completely in the hands of Government. That for which the right hon. the Chancellor of the Exchequer sits is of this description. So many situations in the Post-office, the Packet-office, and other public departments, are held by persons connected with it, that Government may be said to have the entire command of the seat; and it is impossible that any independent inhabitant can ever hope to possess the smallest influence there.

But allowing the existence of the abuses I have exposed, there arises another question, whether these abuses have made themselves practically felt in the Government of the country. In reference to this question, and in answer to an exposition of abuses somewhat similar to that I have just made, when the subject was brought forward on a former occasion, Mr. Windham, who was opposed to all Reform, observed, that no practical evil resulted from the system of representation, and, with his usual liveliness of expression, likened the petitioners for Reform to the man mentioned in the 'Spectator,' who had every symptom of the gout except the pain. This, however amusing, is a very unphilosophical view of the question, and is directly in the teeth of the remark of Bacon, who says, with equal truth and sagacity, 'this is true, that the wisdom of all

these latter times in princes' affairs is rather fine deliveries and shiftings of dangers when they are near, than solid and grounded courses to keep them aloof. But this is but to try masteries with fortune: and let men beware how they neglect and suffer matter of trouble to be prepared; for no man can forbid the spark, or tell whence it may come.' Notwithstanding the evident existence of these abuses, however, I should be hopeless of carrying conviction to the minds of the House, if many of those abuses had not become visible in their effects. We have now the pain, along with other symptoms, and are suffering severely from the inadequacy of this House to represent the people. By these sufferings it is that the minds of men are thoroughly convinced of the necessity of Reform; and though the opinion of most is that it could not immediately remedy many of the disorders which its delay has produced, yet it would at least have this effect, of affording a security for good Government in future.

In looking at the evils arising from an inadequate system of representation, it must strike every one that a Parliament might go on for a long time without representing the people, and yet without appearing to have very distinct interests. The consequence would be that the evil would not be so immediately felt. For instance, the people might be eager for a war, and it might be the interest of a corrupt Parliament to encourage them to carry their wish into execution. The country might be governed by a good and enlightened Minister, and it might be the interest of a corrupt as well as of an honest Parliament to support that Minister. The people might wish for a reformation in the laws, and there might be nothing in the interests of the most corrupt House of Commons that should induce them to oppose that reformation. There might thus be some cases in which no injury would result to the public from such a system as I have

described; but there are other cases, which cannot fail to convince even the most incredulous on the subject, that what they have long been accustomed to consider a complete system of representation is really incomplete and imperfect.

To exemplify what I have just said, I will take the liberty of reviewing, as shortly as I can, what has occurred since the motion for Reform which Mr. Pitt made in the year 1785. For some time after Mr. Pitt became Minister he escaped all odium, as well by the merit of his own measures as by the unpopularity of the Coalition. Indeed, I consider the measures of Mr. Pitt, after his first accession to office, to have been eminently wise, economical, and just. They were followed by great popularity, which enabled him to conduct the affairs of Government, for some years, without the people feeling any necessity of a change being made in the system of representation. Mr. Pitt gave currency to the idea that the evils of a defective representation might not be felt upon all occasions, when, upon Mr. Flood's motion for Reform in 1790, he said that he was as firm and zealous a friend of the question as he had ever been, that he should be ready to propose his motion for it again, whenever a proper opportunity should arise—that it was true that, for some time, the inconveniences of a want of Reform might not be felt; but they would be felt in certain contingencies.

Passing over some years of peace, Mr. Pitt entered upon the war in 1793, having on his side, as he believed, the greater part of the property of the country. I am ready to admit that the moneyed men of the country, alarmed by the terrors of Jacobinism—whether justly or no I will not now stop to determine—did enter willingly at first into the war. At a later period, however, it appeared from general testimony that the disposition of the country tended towards peace. Their disposition was gratified two or three years afterwards by the peace of Amiens. That peace, as

all of us know, was only of short duration. We entered upon a fresh war, and continued it for a few years, without any discrepancy appearing between the conduct of the Parliament and the wishes of the people, or at least without the people's expressing any earnest desire for a Reform in their representation. Yet let it not be supposed, because the people did not cry out for Reform, it follows that the Government was conducted in exact accordance to their sober and just opinions. For it is of the nature of the people to push obedience almost to a fault. Nothing can be more false than the opinions of those who maintain that agitators can easily, and without cause, excite the people to tumultuous and seditious practices. So far is this from being the case, that the disposition of every people is naturally hostile to agitators; indeed, it is so strongly in favour of Government, that the general mass of a country never can be induced to see abuse until it becomes intolerable, or be persuaded to take measures of precaution against a contingent loss of property and liberty: nay, more, they will frequently even submit to the greatest evils of misgovernment before they venture to utter one word in their own behalf.

In the course of the war, however, some instances occurred, which could not fail to excite in the minds of a sensible nation a lively attention to the acts of its representatives. The strongest instance that I now recollect is, the resolution of this House, on the expedition to Walcheren, in 1809. That expedition was an instance of as singular misconduct and incapacity on the part of the Government as was ever displayed in any expedition sent out from this country. There was nothing alleged in this House, either in support of the original plan or of the mode of its execution. No untoward accident had happened to prevent its success; the enemy scarcely offered any resistance; everything went on as well as the planner

of the expedition could wish; and yet the result of it has been nothing but disgrace and calamity to the country. It was so fatal as to realize the cries of the children of Israel to Moses in the wilderness—'Because there were no graves in Egypt, hast thou taken us away to die in the wilderness?' And yet, upon that expedition, failing as it did in all its objects, attended as it was by the utmost disgrace and calamity, the House of Commons of that day was not contented with conferring a vote of silent approbation, but absolutely resolved upon a formal eulogium, and entered that eulogium upon its Journals, in order to prevent the removal of the Ministers who had devised and supported so absurd a project! This fact was so strong and so striking, that it convinced many who had before held different opinions, and made them feel that there was no community of interest between the Parliament that could sanction such an expedition, and a people which were execrating the planners of it, and calling for their condign punishment as an atonement to the thousands of their countrymen who had been unnecessarily and wantonly sacrificed. The result of that resolution of the House of Commons is, that the projector of that most calamitous expedition is now the leader of this House, and the general who conducted its execution is in possession of one of the most splendid rewards that it is in the power of the Crown to bestow.

The general popularity, however, of the Spanish war—a war in which I confess that I took a very strong interest—and the hopes which the people had of overcoming that Sovereign who appeared to aspire to the domination of the whole earth, enabled Ministers to cast a veil over the errors they had committed, and to conceal the faults of which they had been found guilty. The people again bestowed their confidence on the House of Commons, and certainly that confidence was taken advantage of in the fullest

manner. Every abuse was promoted, every job was advanced, every opportunity was seized to turn the facility of the people to their own disadvantage, and to increase the heavy burthens under which they were labouring.

It was when the war was brought to an end that the question of Parliamentary Reform again attracted the attention and excited the feelings of the country. It then became a question between the two parties in this House, whether we should have a large, expensive military Government, or a cheap, economical, civil Government. It was evident on which side the interest of the people was on such a question: it was also evident that if the House of Commons fairly represented the people, it would speak in unison with the wishes of the people: but it was likewise manifest, that if it did not fairly represent the people, it would provide for the private interests of its members, which on that occasion were directly opposed to the interests of the community. Here, then, we should have the House and the people at issue. The question was one from which the constitution of the House of Commons could be fairly ascertained: it was an experiment on the subject which might very fairly be called *experimentum crucis*: it was then to be decided what were the nature of its claims to public regard and to public confidence. That question was decided, and was decided against the reputation of this House; for it voted a standing army of 99,000 men, and other establishments of corresponding magnitude.

On a former occasion I have shown that those establishments, though they were sanctioned by a majority of the votes of this House, were not sanctioned by the majority of the Members for counties. And here I may be permitted to observe, that the Members for counties may be fairly considered as the real representatives of the people, though, from the expense incident to county elections, they are not now so completely popular as they would become were that

expense to be diminished. Now it ought never to be forgotten that the county Members had opposed this immense military establishment by a majority of 3 to 2, whilst the House of Commons had sanctioned it by a majority in the very same proportion, and had imposed on the community those heavy burthens to which a great part of their present sufferings might be fairly attributed.

In looking in a general view at the votes which have been given within the last four or five years, relative to questions of economy and retrenchment, a noble Friend of mine, the Member for Yorkshire, whom I do not now see in the House, has made a calculation of the manner in which votes have been given for Ministers or against them by the representatives of the larger and the smaller towns. I have myself made a similar calculation from data, which I found in a pamphlet called the 'Elector's Remembrancer,' stating the distinct votes of each particular Member. My noble Friend has formed his calculation chiefly from memory. I have taken my calculations from the book I have mentioned, without at all enquiring whether the parties were deemed Ministerial or not. I have considered all those as Ministerial voters who have never voted at all in favour of reduction, and have put down those as Opposition Members who have voted three times in favour of popular measures, even though they voted in general in behalf of Ministers. I think that such a calculation is a fair test of virtual representation, and a fair test also of the value of an opinion which has been sometimes advanced in this House, that the Members returned by the small towns are as much the representatives of the feelings of the people as those returned by the large towns.

In speaking of popular questions, I chiefly allude to those which refer either to the Queen or to retrenchment. These two subjects have certainly interested the country more than any others which have come before

Parliament. I will now mention what were the results of the different calculations made by myself and my noble Friend. I will give my noble Friend's calculation first, premising, at the same time, that my noble Friend considered as neutral those Members who cannot fairly be said to support or oppose Ministers constantly. In my calculation I have left out entirely those who appear never to have voted.

According to my noble Friend there are 33 boroughs, in each of which there are less than 1,000 inhabitants; out of the Members for those boroughs 12 have voted against Ministers, 44 for them, and 10 neutral. There are 35 boroughs containing less than 2,000 inhabitants each; of their Members, 15 vote against Ministers, 45 for them, and 8 neutral. There were 76 boroughs containing less than 5,000 inhabitants; out of the Members for them, 48 vote against Ministers, 93 for them, and 10 neutral. There were 25 boroughs, containing from 5,000 to 10,000 inhabitants each; out of the Members for them, 22 vote against Ministers, 27 for them, and 1 neutral. And in 31 boroughs containing 10,000 inhabitants each and upwards, there were 38 Members against Ministers, only 21 for them, and 5 neutral.

Now my own statement is not very different from that which I have just read to the House; and as the House has heard the one with patience, I will trespass on its attention with the other. From the Members of the boroughs under 500 inhabitants, there was 1 Member in favour of reduction, and 19 against it. From the Members of the boroughs containing from 500 to 1,000 inhabitants, there were 12 for, and 33 against reduction. From the Members of the boroughs containing more than 1,000 and less than 2,000 inhabitants, 17 were for, and 44 against reduction. From the Members of the boroughs containing more than 2,000, and less than 3,000 inhabitants, 19 were

for, and 46 against reduction. From the Members for the boroughs containing 5,000 inhabitants, there were 25 for, and 44 against reduction; and from those from the boroughs containing more than 5,000 inhabitants, there were 66 for, and only 47 against reduction.

Now, the general result of this calculation goes to show that the proportion in favour of Ministers diminishes as the size of the places increases; for, combining the two calculations I have just read to the House, the proportion is in the first instance as 19 to 1 in their favour; in the second as 3 to 1; in the third as 2 to 1; in the fourth as 4 to 3; in the fifth as 3 to 5; so that in the last case it is 5 to 3 against administration and for retrenchment.

Now these are facts which ought to convince the most incredulous, that the small towns do not represent the interests of the people as well as the large towns. They speak for themselves, and need no further illustration from me. But besides these facts, others have occurred during this Session of Parliament, which afford results equally striking. I shall take two questions which have been discussed in it, and which undoubtedly are of great public interest and importance: the one relates to the salt-tax, the other to the office of Postmaster-General. Upon the salt-tax the numbers were 169 in favour of its continuance, and 165 in support of its abolition. Out of these 165 Members, there were 42 for English and Welsh counties, and 55 for the large towns; of which towns there are altogether not more than 56; so that in this small number of 165, less than a third of the English Members, we have nearly a majority of the whole number of English Members for counties and large towns. Now out of the 169 Members who formed the majority on that occasion, I cannot make out more than 14 county Members, though I can make out 61 placemen, of whom only 10 can be in any respect considered as nominees of counties or of large towns. I

trust, that after such a statement I shall not hear it averred again, that, while the Ministerial side of the House contains the representatives of large and populous towns, the Opposition benches are filled with nothing but nominees sitting for rotten boroughs.

The division on the office of Postmaster-General was still more decisively in favour of the proposition which I wish to establish. There were 159 Members for the abolition, and 184 for the continuance of that useless office; so that there was a majority of 25 in favour of the office and of Ministers. Of the 159, 29 were the representatives of English and Welsh counties, and 40 the representatives of large towns, making together a total of 69. On the other side I cannot make out more than 11 county Members and 23 Members for large towns, making a total of 34: that is to say, that out of those Members who were really elected by the people, there were 69 for abolishing, and only 34 for continuing the office. If there be any fact that can make an impression upon the House, it is that which I have just mentioned. Upon that question we have an illustration of the admirable theory I before alluded to, and of which we have lately heard so much—I mean the theory that the House represents not only the people, but also the Crown and the House of Lords. Upon that question we had an instance of the representatives of the Crown and of the House of Lords overbalancing the representatives of the people, until they were completely merged in a minority; and be it observed, that the question upon which the representatives of the Crown and of the House of Lords so overbalanced the representatives of the people, was a question whether we should maintain an office that was in the patronage of the Crown, and had been conferred upon a Member of the House of Lords. Let it be also recollected, that upon that memorable night the doctrine was first advanced, that useless offices ought to

be maintained as a counterpoise to the increasing intelligence of the people—a doctrine which my hon. and learned Friend the Member for Knaresborough (Sir J. Mackintosh), with his knowledge of constitutional history, has declared to be altogether new; and at which even the hon. Member for Corfe Castle (Mr. Bankes) has expressed himself to be alarmed; and let it also not be forgotten, that that doctrine, new and alarming as it was, has been sanctioned by those who were not the representatives of the people, but who personated on this occasion the House of Commons, and declared and avowed this theory as their principle of action. I will ask any man who looked at this question—who saw the confusion of different branches of the Constitution which was thus created—who beheld the public money unsparingly granted by those who were afterwards to reap benefit from the disposal of it—who perceived control assumed over the public expenditure for the purpose of more effectually sanctioning abuse, screening delinquency, and opposing the wishes and petitions of the people for reduction—I will ask any man, who took all the points to which I have just referred into consideration, whether it is any exaggeration to say, that every lover of liberty ought to feel alarmed at the danger to which the British Constitution now stands exposed?

Having stated thus much of the practical evils resulting from the present system of representation, I must be permitted to observe, that there are other evils to which it has given rise, much more grievous to a friend of freedom than any which I have yet mentioned. The natural balance of the Constitution is this—that the Crown should appoint its Ministers, that those Ministers should have the confidence of the House of Commons, and that the House of Commons should represent the sense and wishes of the people. Such was the machinery of our Government: and if any wheel of it went wrong, it deranged the whole system.

Thus, when the Stuarts were on the throne, and their Ministers did not enjoy the confidence of the House of Commons, the consequence was tumult, insurrection, and civil war throughout the country. At the present period the Ministers of the Crown possess the confidence of the House of Commons, but the House of Commons does not possess the esteem and reverence of the people. The consequences to the country are equally fatal. We have seen discontent breaking into outrage in various quarters—we have seen every excess of popular frenzy committed and defended—we have seen alarm universally prevailing among the upper classes, and disaffection among the lower—we have seen the Ministers of the Crown seek a remedy for these evils in a system of severe coercion—in restrictive laws—in large standing armies—in enormous barracks, and in every other resource that belongs to a Government which is not founded on the hearts of its subjects. I may be told, that in the divisions which took place on the enacting of those restrictive laws, the names of many friends of freedom are to be found. If I am obliged to admit this, and even that there are some personal friends of my own, for whom I bear the greatest respect as sincere partizans of liberty, who, nevertheless, have assisted in imposing those restrictions upon the people, which sweep away many of the provisions of Magna Charta and the Bill of Rights, and materially diminish the ancient privileges of Englishmen, I shall at the same time say, that I observe the occurrence with regret, and deplore the more the fatal mistake which has been committed. It is my persuasion that the liberties of Englishmen, being founded upon the general consent of all, must remain upon that basis, or must altogether cease to have any existence. We cannot confine liberty in this country to one class of men: we cannot erect here a senate of Venice, by which a small part of the community is enabled

to lord it over the majority; we cannot in this land, and at this time, make liberty the inheritance of a *caste*. It is the nature of English liberty, that her nightingale notes should never be heard from within the bars and gratings of a cage; to preserve anything of the grace and the sweetness, they must have something of the wildness of freedom. I speak according to the spirit of our Constitution when I say, that the liberty of England abhors the unnatural protection of a standing army; she abjures the countenance of fortresses and barracks; nor can those institutions ever be maintained by force and terror that were founded upon mildness and affection.

If we ask the causes why a system of government so contrary to the spirit of our laws, so obnoxious to the feelings of our people, so ominous to the future prospects of the country, has been adopted, we shall find the root of the evil to lie in the defective state of our representation. The votes of the House of Commons no longer imply the general assent of the realm; they no longer carry with them the sympathies and understandings of the nation. The Ministers of the Crown, after obtaining triumphant majorities in this House, are obliged to have recourse to other means than those of persuasion, reverence for authority, and voluntary respect, to procure the adherence of the country. They are obliged to enforce, by arms, obedience to acts of this House—which, according to every just theory, are supposed to emanate from the people themselves.

Now it is one of the least evils of this system, that the Ministers themselves are often compelled to retract their measures and alter their policy. If the House of Commons represented the people, the Ministers would have no other difficulty than that of making their measures palatable to that assembly. Once sanctioned there, they would naturally obtain the cordial and affectionate concurrence of the

country. But in the present state of things, Ministers are obliged to follow a winding and uncertain course; they are to be seen supplicating in one quarter, bribing in another, menacing in a third; they employ the whole Session in courting the approbation of the great proprietors of the boroughs, and then, after the prorogation of Parliament, they frequently find their whole web of policy undone by the sense of the country: and why? Because, in spite of the approbation of the House of Commons, a free press and a public opinion dare to condemn their conduct, and have power enough to prevent their measures being carried into effect. Thus, to quote one instance among a thousand, after the House of Commons of 1816 gave their sanction to a standing army of 99,000 men, the remonstrances of the people have compelled the Government, by repeated clamours, to reduce it to 68,000, only two-thirds of the original establishment.

Now, in proposing reform, I propose a measure which must be for the advantage of a wise and good administration; nay, it ought to be wished for even by the present Ministers. For my own part, I will confess that I have never seen in them any dark or dangerous designs of destroying the liberty of their country: all that I have been able to observe in them is little inclination to do anything, either good or evil, so long as they were permitted to retain unmolested the advantages they derive from power, place, and profit. I believe that in most cases it is perfectly indifferent to them whether the measures they carry are those which they themselves originally proposed or those which have been altered, framed, and dictated by the indignant sense of the country. I wish them, therefore, to find at once in Parliament an echo of the public voice; to have it in their power to avoid the odium and disgrace of carrying in this assembly measures which they afterwards abandon; to be able, without the delusive

support of a majority not acknowledged by the country, to feel at once in this House the pulse of the people of England. Such a Reform, I am convinced, would be at once an advantage to the Crown, a blessing to the people, and the safety of the balance of the constitution.

In these conclusions I am happy to think that I am supported by great weight of authority. Lord Clarendon, it is well known, speaking of Cromwell's Parliament, in which the number of Members for counties was greatly increased, and the smaller boroughs totally omitted, says, it was generally thought 'a warrantable alteration, and fit to be made in better times.' Mr. Locke complains of the representation of decayed boroughs, and particularly of Old Sarum. Without entering more into detail, I may say that Mr. Justice Blackstone, Lord Chatham, Mr. Fox, and Mr. Pitt, all concur in recommending a temperate and rational reform.

Thus you have the sanction of Lord Clarendon, the most venerable of Tory statesmen; of Locke, the most liberal of Whig philosophers; of Blackstone, the most cautious of constitutional writers; of Chatham, the boldest of practical Ministers; of Mr. Pitt, the theme of eulogy to one great party in this country; of Mr. Fox, the object of affectionate admiration to another. Such an union of the great authorities of men, however different in temper, however opposed in politics, of men forming their judgment upon the most different grounds, living in different times, and agreeing in their conclusions upon hardly any other topic, strikes me as presenting a moral combination in favour of my proposition that is in itself almost irresistible. The opinions of the men whom I have named are blended in our minds with all that is venerable in our constitution and our laws; their united suffrage in favour of any new measure gives to the mind much of that confidence which in general is only obtained by following the

lessons of experience; it takes away from Reform all the ruggedness of innovation, and constitutes, as it were, a species of precedent in favour of the course which I am urging you to pursue. Against these authorities I know of no equal names which can be adduced on the other side. There are, it is true, Mr. Burke and Mr. Windham, but they are both, perhaps, men who displayed more fancy than deep reflection in the view which they took of this question, and who have certainly left on record no confutation of the powerful arguments of the great statesmen who thought differently from them on the subject.

Having now had the honour of stating to the House the unprecedented advance of the country of late times in wealth and knowledge; having stated the great increase of corruption which has crept into the elections, and how much confined the popular force has become in influencing the various modes by which Members obtain seats in this House; having also stated the practical injury which has ensued in the wide distinctions prevailing on some great public questions, between the opinions of the people of England and of the Members of this House, I now come to the consideration of a plan which I think calculated to remedy a great part of the existing evil. In considering what that plan should be, I have naturally directed my attention to the remedial measures which have been heretofore suggested by persons of weight and authority on this subject. The proposition of Lord Chatham was to add 100 to the number of knights of the shire sitting in this House. Mr. Pitt, likewise following the footsteps of his father, at first proposed an addition of 100 to the number of county members. Mr. Flood, in the year 1790, proposed the same numerical accession of strength to the representation, to be elected by householders throughout the country; and Mr. Fox at the time remarked that the plan of Mr. Flood was the best he had ever seen submitted

to the consideration of Parliament. Feeling, therefore, the weight and influence of such great authorities, I shall adopt their number in my present proposition.

My plan will then be, that 100 new Members shall be admitted into this House; and, as far as I have formed any settled opinion about the distribution of that number, the leaning of my mind is, that 60 Members should be added for the counties, and the remaining 40 of the 100 should be for the great towns and commercial interests of the country. However, as to the manner of distribution and the mode of election, that is a branch of the subject which ought to be reserved for the gravest and most deliberate consideration, after the present Motion shall have been carried.

It may, however, be said, that since the time when Chatham, Pitt, Fox, and Flood called for an addition to the number of Members in this House, their proposed number of 100 has, in point of fact, been added by the Irish Union, which it is known has given that numerical addition to our body. Nor is there any Reform more generally unpalatable than that which proposes to add to the numbers of this House, already rather too large than otherwise. In order to get out of this difficulty, I should say that a number to the same amount as that given for the representation of Ireland might be struck out of the present list, with great benefit to the country; for instance, let the hundred be taken away from the hundred smallest boroughs, which return each two Members to sit in Parliament. Let these boroughs return but one Member each, and then the present number of the House will be retained.

In proposing this plan, I cannot but recall to the recollection of the House, that it was not long ago since I hoped that much of the real advantages of Reform might have been obtained by the detection of prevailing corrup-

tion at the borough elections, and the filling up of vacancies so detected by a more popular form. By these means it was possible that a great popular representation might have been introduced, to the exclusion of a wide-spreading corruption. In the hope of accomplishing such a change, I moved for a Committee last year, to consider of the means of legally convicting boroughs of notorious corruption; and I am not sure that, if the matter had been then taken up in a spirit of sincerity, it would not have effected, in a silent and gradual manner, an adequate reform in Parliament. But to be efficacious, it requires the whole co-operation of this House, and such an aid, I am sorry to declare, I have not been so fortunate as to obtain. I am sorry that the House did not, on the occasion to which I allude, evince the sincere wish I had hoped for to put down corruption. They agreed, it is true, to punish any specific act of corruption, whenever the particular case was brought under the consideration of Parliament; but they would not agree to enact the only measures which were calculated practically to put down the evil they professed so anxious a desire to correct. In that respect their conduct resembled that of a police magistrate, who should declare his readiness to convict any notorious thief who might be brought before him, but who at the same time should proclaim, that though he knew there were bands of thieves nightly prowling through the streets, he would not send out a single officer of police to apprehend and detect them.

The indifference of the House to the measures I then proposed has compelled me to look for others more calculated to ensure the co-operation of the country at large, and to obtain from the House, in the gross, that Reform which they were unwilling to effect by gradual and unpretending means. I therefore press for your consideration the plan which I have now opened; I think it the

best and safest proposition which can be suggested for the remedy of a notorious and growing evil.

There are, obviously, many minor details, into which it is unnecessary for me now to enter, and which can only be conveniently considered in a future stage of this proceeding; such, for instance, is the discussion whether copyholders ought to be permitted to vote in the counties; but these matters, I repeat, had better remain over until after the introduction of a Bill, defining the outline of my plan. The first step must be to ascertain whether the House will consider at all the question of Parliamentary Reform. If they once admit the necessity of the principle for which I contend, then I have no doubt they may hereafter, with little difficulty, become reconciled to the measures for its practical application. I think, under such circumstances, the modification of details might easily be accomplished. Leaving, therefore, all these details for future consideration, I will shortly state the answers that strike me as applicable to some of the objections, which I have heard from time to time made to the expediency, if not to the principle, of Parliamentary Reform.

The first and most plausible objection against any alteration in the present constitution of the small boroughs is, that they constantly furnish the means of bringing into Parliament men of great talents. This is an advantage which I am not in any way disposed to undervalue; but it is one which I submit would remain after my plan is adopted. I have no objection that a number of these boroughs should remain as they now stand; but what I object to respecting them is, that the small boroughs are so numerous, according to the present system, as not only to have their proper weight in the scale of the representation, but to have, in addition, the means of commanding a preponderating majority in Parliament. They

thus give the sanction of a general Parliamentary assent to measures which have in the main received only the concurrence of a number of individual borough-proprietors. We are thus, for the sake of obtaining a few men of talent, sacrificing the great end of Parliamentary representation, the expression of the feelings and interests of the people. In order to preserve the show, we are giving up the substance of a legitimate House of Commons:

> Thus, if you dine with my Lord May'r,
> Roast beef and venison are your fare;
> But tulip leaves and lemon peel
> Serve only to adorn the meal;
> And he would be an idle dreamer,
> Who left the pie and gnaw'd the streamer.

The next objection to which I shall advert, is founded on that inveterate adherence to ancient forms, however unsuitable, to old practices, however abusive, which influence so greatly the decisions of the English Parliament. As this objection has its strength more in the feelings and affections, than in any logical argument upon which it is grounded; as it rests on superstition rather than on reason, I know not how to meet it better than by referring to an example in ancient story. The instance I allude to occurs in the history of Rome; and here I must entreat the attention of the hon. Member for Corfe Castle, who may be styled the Tory commentator, as Machiavel may be styled the Whig commentator, on Roman history. About 370 years after the foundation of Rome there arose a contest, not very unlike the question we are now debating, whether the two consuls should continue to be chosen from the patricians, or whether one should be chosen invariably from the plebeians. Appius Claudius, who was the prime advocate of aristocracy and existing institutions in that day, argued that the greatest evils would follow if any change was made in the ancient forms. He contended, particularly, that none but a patrician could take the

auguries—that if any alteration were made, the chickens would not eat—that in vain they would be required to leave their coops. The language given to him by Livy is, 'Quid enim est, si pulli non pascentur? Si ex caveâ tardius exierint? Si occinuerit avis? Parva sunt hæc: sed parva ista non contemnendo majores nostri maximam hanc rem fecerunt.' Such was the reasoning of the Roman senator: reasoning, be it observed, not very different from that which is used to show that our whole Constitution will be subverted if any invasion is made upon the privileges of Old Sarum. But what was the result? After a successful war against a foreign enemy, Camillus, the dictator, had to encounter the most dangerous seditions at Rome, raised on this subject of the consulship. What did he and the senate do? It will be imagined that they passed restrictive laws; that they prohibited public meetings of more than fifty persons in the open air; that they punished the seditious orators, and restrained the liberty of speech for the future. No such thing. They assented to the petitions of the people. 'Vix dum perfunctum eum bello atrocior domi seditio excepit: et per ingentia certamina dictator senatusque victus, ut rogationes tribuniciæ acciperentur; et comitia consulum adversâ nobilitate habita, quibus L. Sextius de plebe primus consul factus.' And what was the consequence? Discord and calamity? Quite the reverse. After some further contest, the whole dispute terminated in favour of the people; and the senate, to celebrate the return of concord between the two orders, commanded that the great games, the *ludi maximi*, should be solemnised, and that an additional holiday should be observed. Rome increased in power and glory; she defeated the Samnites; she resisted Pyrrhus; she conquered Carthage; nor in the whole of her famous history is any complaint to be found on record, that the chickens declined to eat, or that they refused to leave their coops on account of the plebeian

consul. The hon. Member for Corfe Castle, in relating this circumstance, attributes the concession of Camillus to two reasons: first, that he thought it prudent to grant what could not long be refused; and secondly, that he was weary of bearing popular odium. Now, I beseech the hon. Member to follow the example of Camillus: let him grant what we cannot much longer refuse, without danger to ourselves and ruin to our country. Let him rest satisfied with the odium we have already acquired, and consent to change a course which has made us so obnoxious to the people of England.

Another objection which I have heard made to Reform is, that the people, if not numerically, are at least virtually represented; and as the clearest proof of their agreement in the judgment of Parliament, it is stated, that when that judgment is once pronounced they acquiesce in it without resistance, and the agitations upon that subject immediately cease throughout the country. This is to my mind anything but a test of popular confidence in the wisdom of Parliament. The acquiescence, thus spoken of, is what in fact has constantly appeared in the conduct of the people under every Government throughout the world. For it is one thing for the people to complain, pending the agitation of any question, and another and very different matter to incur the risk of criminality, by declaring any violent dissent from the final adjudication of the constitutional authorities under which they live. The practice of the people is, to express their opinions while a great question is undecided; but when the decision of the supreme magistrate once takes place, they have only to choose between bowing to his authority, or acting in rebellion to his power. The people of England, who are distinguished above all other nations for their respect to law, whose characteristic is a submission to what has been adjudged to be legal, know very well that a decision of the King and

his Ministers may be altered, but that, once confirmed by Parliament, the act is complete and final: therefore, while a measure is ministerial, they complain; when it becomes Parliamentary, they are silent. But nothing is more irrational than under such circumstances to infer the approbation of the people from that silence. When the Parliament decided upon the propriety of omitting her late Majesty's name from the Liturgy, did the people, because they then petitioned no more, acquiesce in the justice of that decision? Were they, when they abstained from remonstrating against the continuance of two Postmasters-General, to be supposed as adopting the decision of this House, that two were necessary? All that ought to be inferred from the people's silence, when so situated, is, that a sufficient case for actual resistance had not yet occurred, and that it was useless for them to protest against the decision of Parliament. I think the people judge wisely, because, in the times in which we live, the abuses they endure, though flagrant, do not amount to a justifiable ground for actual resistance. But let not anything be inferred from their obedience, even if pushed still farther. The people, under the very worst species of tyranny, are often found sullen and silent victims. Does the House not know the perfect obedience which was paid to the acts of James II.? Was that tyrant not surrounded in his worst hour of misgovernment by adulatory lawyers, by subservient addressers, by servile surrenderers of corporate rights—in short, by every being who was ready to prostrate the liberties of his country? Did not James enjoy the full measure of this sort of obedience until the evils of his misrule at length compelled him to abandon his throne? Was not the Russian Emperor Paul, notoriously tyrannical as he was, obeyed by the vast population of his empire during years of oppression, and up to the moment when the bowstring put an end to his despotic career?

Was not Ferdinand of Spain obeyed when he signed with his own hand the death-warrants of his best subjects, until at last the flame of popular discontent, which remained so long smothered, burst forth in the blaze of rebellion, and consumed all the bulwarks of his arbitrary rule? No doubt that, in the day of these tyrannic acts, the inflictors of them thought, as some men are disposed to think here, that the people were in willing and satisfied obedience because they abstained from open resistance; and there were bad advisers to press for the continuance of fatal and desperate measures, until at length they became intolerable, and recoiled upon the heads of the abettors of them with ruin and destruction. The same fate will befall England, if similar measures are pursued to a desperate extremity. Suppose a war arose, not of the people's own seeking, though the Minister were to secure for it the approbation of Parliament—suppose it led to bankruptcy and general confusion, in that melancholy hour, what answer would the uniform opposers of Reform have for those whose advice, if timely attended to, would have saved the institutions of their country? What security would you have, then, that the reform which has not been made from within, may not come with a vengeance from without?

And now, lastly, I come to an objection, which, in the failure of all other argument, after the defeat of every specific and tangible objection, is always brought forward as a complete bar to every proposition of reform. This consideration, which addresses itself rather to the nerves than to the understanding of those on whom it is meant to operate, is the example of the civil wars of England and the French Revolution. I likewise beseech your attention to the civil wars of England and the French Revolution; but I beg of you that it may be a sober attention, worthy of men and of Englishmen. And first let me ask, will any man say that it would have been right to permit Charles

to abolish Parliamentary Government, to levy money by his own authority, and supersede the ancient liberties of England by the doctrine of divine right?—that it was not lawful and praiseworthy to resist a system of despotism, not intended, not projected, but actually established, in England in the early years of that reign? Or will any man say that the mean debauchery of Louis XV. was a fit employment for the resources of a great nation like the French? That the abuses of the French Government did not require reform? If there be any man who will say this, let him enjoy his opinion if he will, but let him not presume to think himself worthy to enjoy the benefits of the British Constitution; and, above all, let him not venture to think his counsels can be listened to in a British Parliament.

I assume, then, and let us now confine our attention to one of the two countries—I assume, that Lord Clarendon, and Lord Strafford, and Lord Falkland were right in their early opposition to the misgovernment of Charles I. But why not stop, it will be said, like Lord Clarendon and Lord Falkland? Alas! Sir, who shall say that the policy of Lord Clarendon and Lord Falkland would have procured for us a system of liberty? Who will venture to lay his finger upon that point in the history of Charles I., when it would have been possible to save the monarchy without losing the Constitution? Who shall presume himself to possess more learning than Selden, more sagacity than Pym, more patriotism than Hampden?

The question, in fact, was involved in inextricable difficulty. From all I have read, and all I have thought upon this subject, I take the cause of that difficulty to be this: The aristocracy were divided; they were divided between a larger party, who were satisfied to bear arbitrary power for the sake of property and tranquillity; and a smaller party, who were ready to sacrifice property and even life

for the sake of destroying arbitrary power. But this last party, being the minority, were obliged to call to their aid the assistance of the people. Now the history of the world shows, that to accomplish great changes in Government by the active agency of the people is a task of great hazard and uncertainty. The people, in a state of agitation, are, in times like those I speak of, naturally suspicious; they awake from a dream of confidence, and find that their facility has been abused by those rulers in whom they had implicitly trusted. In this wreck of all their established reliances, in this anxious desire for the benefits of freedom, in this tremorous apprehension of falling back into slavery, what wonder is it that their fears should be continually roused, that they should listen to accusations even against their best friends, and that, with a mixture of zeal and timidity, they should destroy the beautiful temple at the same time that they tear down the foul idol that it contains? What matter of surprise is it, that, unable to know exactly the truth, they should rase the very foundations of a society under which they have greatly suffered?

But how are these evils to be avoided? How are these natural and usual calamities, attendant on popular revolutions, to be averted? By a united aristocracy. History here, too, tells us, that if great changes accomplished by the people are dangerous, although sometimes salutary, great changes accomplished by an aristocracy, at the desire of th people, are at once salutary and safe. When such revolutions are made the people are always ready to leave in the hands of the aristocracy that guidance which tends to preserve the balance of the Government and the tranquillity of the State. Such a change was the expulsion of the Tarquins from Rome; of James II. from England. These were revolutions accomplished without bloodshed and confusion, by the influence of an united

aristocracy. I call upon the aristocracy of England, therefore, now to unite to make that change safe, which, if they do not unite, may be dangerous, but which will not be the less inevitable. I call upon the Tories to stay the progress of abuses, which must end in the convulsion of the State. I appeal still more confidently to the Whigs to unite for a similar object. If I know anything of Whiggism, the spirit of Whiggism is, to require for the people as much liberty as their hands can safely grasp at the time when it is required: and I am so far from agreeing to the flimsy accusations sometimes made against the Whigs, that I think, looking at their conduct from the beginning, their chief fault has been a fault of policy, in asking for more freedom and more securities for freedom than the people wished or could retain. The Exclusion Bill and the whole life of Mr. Fox are instances of this observation. When at the Revolution, however, the Government of this country was settled, the Whigs retained in their own hands the boroughs which they were able to influence. I really believe that to this measure the settlement of the House of Hanover is mainly owing. During the reigns of the two first Kings of the House of Brunswick the county members consisted almost entirely of the most determined Tories; and had they prevailed, we should probably have seen upon the throne the descendants of James II., granting, perhaps, more securities for our religion, but not more guarantees for our liberty than James himself. I think, therefore, the Whigs were fully justified in retaining a certain quantity of borough influence, which they could not otherwise have justly held. But now, when the people are enlightened, and fully capable of understanding their own interests, the Whigs will act wisely if they yield to the increased intelligence of the country a due share in the return of their representatives. As they formerly retained the boroughs to secure liberty, let them now for the

same noble object consent to part with them. Let them show to the country, that if Reform is impeded the Whig aristocracy stands free from the charge of hindering its progress from any personal and selfish interest of their own. In so doing they will give energy and effect to their opposition in Parliament; for I do not wish to conceal it, the possession of these boroughs has lessened the energy of their efforts in support of the liberties of the country. They have been able to state, with less firmness and frankness than they might otherwise have done, the causes of the misgovernment of the country; and the people, on the other hand, seem to feel that the Whig aristocracy retain something which properly belongs to themselves. Hence the union between the party of the people within and without the walls of Parliament has been less cordial than it would be if the Whigs were content to yield something to the popular desire for Reform: I beseech them to do so; but not them only—all the aristocracy of the land. Sir William Temple, a wise and amiable man, but whom no one will accuse of being too great an enthusiast for liberty, has said that this great nation never can be ruined but by itself: and that, even in the greatest changes, if the weight and number rolled one way, yet England would be safe. I beseech you that the weight and number may roll one way; I beseech the possessors of great property to consider how nearly it concerns them to retain the affections of the great mass of the people. I beseech you, that, throwing aside all feminine fears, all pedantic prejudices, and all private advantages, you will consider only your duty as men, the wants of the age in which we live, and that permanent and pervading interest which we all have in the maintenance of the English constitution. May you remember, that the liberty which was acquired for you by your ancestors will be required of you by your descendants: then will you agree to a temperate and timely re-

form, reconcile the different classes of society, and prevent a convulsion which may involve all in one common ruin. Then may that proud Constitution, which has now subsisted in maturity little more than one hundred years, continue to maintain the spirit of its freedom, and extend the sphere of its salutary influence, until its existence vies with that of the most durable institutions that were ever reared for the happiness of mankind in any age or in any country. I now move, 'That the present state of the representation of the people in Parliament requires the most serious consideration of this House.'

REPEAL OF THE TEST AND CORPORATION ACTS.

Tuesday, February 26, 1828.

LORD JOHN RUSSELL rose and said:—I rise, Sir, in consequence of the notice which I some time ago gave upon the subject, for the purpose of submitting to the consideration of the House a motion which, although it has not for many years been submitted to the House, will, I am sure, not be esteemed less worthy of their attention, either on that account, or on account of the weakness of the advocate by whom it is about to be supported. I am satisfied that the great number of petitions in favour of civil and religious liberty which are now upon your table, will, at least, induce the House to take the question into their most serious consideration; and if they do dismiss it, at least not to do so until after the investigation which its importance demands. There is one consideration, personal to myself, which I certainly feel very forcibly. It is not that I have the smallest doubt of the strength of the case. On the contrary, I feel that if brought before a House with no preconceived opinions—no long-cherished prejudices—an assembly, in short, new to the subject of the debate, I

could not fail of success. Neither do I feel any diffidence arising from the conduct of the petitioners, whose conduct is such that no man, however he may differ from them, can impugn. There is, however, I confess, one circumstance which makes me approach this subject with a sort of awe, which, but for circumstances which I shall presently mention, would end in despair. I mean that, when the question was last before the House, though urged by the eloquence and enforced by the argument of Mr. Fox, than whom no man was ever more splendid in the one, or more forcible in the other, it miscarried. The contemplation of that failure, for such it was, is, I must confess, so dispiriting to my mind that I would resign the case as hopeless but for the conviction that if I cannot wield the same weapons as Mr. Fox, I have not the same enemies to encounter. So great has been the improvement in knowledge and liberality, particularly among the middle classes, that the successors of those who most warmly opposed the motion of 1790 are, in 1828, its most zealous supporters. For instance, let us look to what has taken place in the common council of London. It is notorious, as has been mentioned by an hon. Alderman, that in the year 1790 the corporation passed some strong resolutions against the repeal of the Test and Corporation Acts, and voted thanks to those members of the City who had opposed the repeal in this House; but so great has been the change in men's minds on the subject since that time, that the corporation has recently agreed to resolutions declaring those Acts hostile to the principles of religious liberty. Another circumstance which I look upon as favourable to my motion is, that the powerful antagonist of Mr. Fox in 1790, Mr. Pitt, as is now well known, did in a few years after his opposition to the measure completely change his mind on the subject, and express a wish that the Test and Corporation Acts should be repealed. He saw, as every

man of enlarged and enlightened mind must have seen, that all things around him were changed since the passing of those Acts; that the religious questions which had been the subject of the world's debate at the time of their enactment had given place to divisions purely political; that the dispute for power no longer lay between Catholic, Lutheran, and Calvinist, but between the adherents of despotism, representative monarchy, and democracy; that he could only defend the Constitution by rallying round it the victims of an extinct quarrel, and calling on men of different religious opinions to defend the same form of political Government. There is only one word more which I would add by way of preface. It may be asked, if I remove these securities, what other tests would I propose? My answer is, that I am opposed to religious tests of every kind. What I should wish would be, to adopt and extend the principles of an Act, the 5th of his present Majesty, which enacts that persons taking office in the Customs and Excise shall not be compelled to take any oath but the oath of allegiance. I should wish to see applied to persons taking seats in Parliament, and all the offices of Government or corporations, a simple provision, that they should be called upon only to swear allegiance to the King.

I now come to the great principle involved in the numerous petitions before the House; petitions signed by the whole body of Dissenters, by Roman Catholics, and by many members of the Established Church. That principle is, that every man ought to be allowed to form his religious opinions by the impressions on his own mind, and that, when so formed, he should be at liberty to worship God according to the dictates of his conscience, without being subjected to any penalty or disqualification whatever; that every restraint or restriction imposed on any man on account of his religious creed is

in the nature of persecution, and is at once an offence to God and an injury to man. This is the just and noble principle on which the Dissenters claim the repeal of the Test Laws. But I will fairly admit that there may be an exception to its application, and I will illustrate it by reference to the general principle of non-interference by one State in the internal affairs of another. It may be stated that one State would not generally be justified in interfering in the internal concerns of another; but if some of the internal regulations or political institutions of one State are of such a nature as to tend directly to the injury of another, then the interference properly commences on the part of the State making such regulations, and not on the part of the State which complains of them. I will say the same of religion: if the religion of any body of men be found to contain political principles hostile to the State, or militating against that allegiance which is due from every subject of the Crown, in that case the question ceases to be a religious question; and you have a right to interfere and impose such restrictions as you may deem necessary, because you do not impose them on religious opinions; you impose them only on political doctrines.

Having said thus much generally, I proceed, Sir, first to state the history of the Acts of disqualification; and secondly, to inquire whether there is anything in the circumstances of the present time which renders the continuance of those Acts necessary.

And first for the history. It is well known to everyone that soon after the Reformation many struggles took place in Europe, in which religion and politics were invariably connected. We are informed by the Italian Cardinal who has written the 'History of the Troubles of the Low Countries,' that Philip II. upheld the Roman Catholic religion, not merely because he thought it the

true religion, but likewise because he thought it the best security for political union and obedience throughout his vast dominions. In the same way our James I. professed the maxim, 'No Bishop, no King.' On the other hand, Mr. Hume has declared it as his opinion, that for all we enjoy of liberty in this country we are indebted to the Puritans.

It is notorious, indeed, that the Presbyterians and Independents formed the main force of that party which commenced, carried on, and finally triumphed in the struggle against Charles I. It was natural, therefore, when his son recovered his regal rights, that one of the first steps which he took should be to endeavour to apply a check to the power of those who he knew had contributed to the deposal and death of his father. In the preamble of the Corporation Act it is stated, with reference to its purpose, that the succession in corporations should be perpetuated in the hands of persons well affected to his Majesty and the established Government: 'That, notwithstanding all his Majesty's endeavours and unparalleled indulgence in pardoning all that was passed, nevertheless many evil spirits were still working.' It was to counteract the working of these evil spirits that the Corporation Act was introduced: providing that Commissioners should be appointed to see that no persons should be allowed to enter into any corporation without taking the oaths of allegiance and supremacy, renouncing the Solemn League and Covenant, and on making oath, 'that they did not consider it lawful, upon any pretence whatsoever, to take arms against the King, and that they abhorred the traitorous position of taking arms, by his authority, against his person, or against those who were commissioned by him.' In the course of discussing the measure, however, some difference took place between the two Houses of Parliament; the House of Lords wishing to give the

Crown the power of retaining the authority of corporations in its own hands. This the House of Commons resisted, and at length successfully; consenting, however, to the admission of a clause providing that no person should be admitted into any office or place contemplated in the Bill without previously taking the sacrament of the Lord's Supper, according to the rites of the Church of England.

Sir, it is somewhat remarkable that Hume, in his 'History of England,' seems to have considered this clause as of so little consequence that although he gives a pretty full abstract of the Act, he never thinks it worth his while to mention this particular clause. And so far was the Act from contemplating the exclusion of Dissenters generally from situations of trust and honour, that there were then about fifty Presbyterians sitting in this House, of whom only two scrupled to take the sacrament according to the rites of the Church of England. It may be said, indeed, that the Act intended the exclusion of those who separated entirely from the Church of England, and that when the Presbyterians ceased to partake the communion of the Church of England, they properly came within the scope of the statute. This argument is a fair one, and I am not denying its justice; I am only stating the fact generally, that the Presbyterians were not, as a body, intended to be excluded. The battery was directed against the 'evil spirits,' who refused all reconciliation, all compromise, with the Church.

The next Act of which I have to take notice, and the only other Act which I propose to refer to a committee, is the Test Act. This Act, everybody knows, took its rise at a most remarkable period of our history—a period at which the fate of the country was undergoing an awful crisis. It was passed when the minds of men were in a state of agitation and alarm—a state which, if it did not make them magnify the danger, at least prevented them

from exercising their calm judgment in providing a fit remedy against it. The Test Act was passed at a time when the nation was irritated and terrified at a knowledge that it possessed a concealed Roman Catholic King—a Duke of York, the successor to the Throne, an avowed Papist—an odious alliance with France, secretly formed for the purpose of destroying the liberties of England, and an army ready to overawe all deliberation. Under these circumstances the Test Act was passed, and about the object of it there can be no dispute, for this is clearly explained in the preamble, which also describes the public necessities out of which it arose. The Act is entitled an Act 'for preventing dangers which may happen from Popish recusants, and quieting the minds of his Majesty's good subjects, &c.' The minds of his Majesty's good subjects were disquieted—by whom?—by the Dissenters? No, by the Roman Catholics. It was, then, quite evident that the Test Act was not passed with a view of excluding Protestant Dissenters—so little so, that while it was under deliberation, and many persons were inclined to vote against it, because they thought it would operate against Dissenters, a well-known Dissenter rose in the House, and said, that the 'Dissenters would rather lie under the severity of the law than clog so necessary a work.' The Test Act, therefore, was intended as a guard against the partiality of the King upon the Throne for a particular sect; but it is now made to apply to sects for which it was never intended, and to a Sovereign of a totally different disposition.

The House of Commons attempted on various occasions to relieve Protestant Dissenters from the burthen which this Act imposed upon them; but the King always evaded the obnoxious measure, several times proroguing the Parliament, and on one occasion the Clerk of the Crown was ordered not to present to the King a Bill which had been

passed by both Houses for the relief of the Dissenters. Thus the Commons were strong to persecute the Catholics, but not to relieve the Dissenters, and the King, who found himself unable to relieve the Catholics, consoled himself by persecuting the Dissenters.

Let us now observe the difference in the manner of proceeding with regard to the Dissenters and with regard to the Roman Catholics. When Parliament wished to dislodge the Dissenters they naturally and properly—properly, I mean, with a view to their object,—gave to the King the power of purging the corporations, and imposed a test to exclude members who might be elected by a dissenting majority. They did not exclude them from offices under the Crown. Why? Because they did not suspect the Crown of any partiality towards the Protestant Dissenters, and where there was no danger they took no security. But when they wished to guard against the Roman Catholics they proceeded very differently. They put up their bar against the entrance to office; they guarded the road to the royal palace. Why? Because the King was suspected to be a Papist.

I wish, Sir, to lay the more stress upon this, because, much as we hear of the wisdom of our ancestors, I think that wisdom, such as it was, is not properly appreciated. A religious test on admission to offices of the Crown is, in ordinary circumstances, an absurdity. It is at best a circuitous mode of ascertaining a man's political opinion. It is often a very false mode. For instance, in the hottest rage of the wars of the Reformation, Queen Elizabeth could trust the Roman Catholic peers with the defence of the coast of England against the Armada of Philip II., the great patron of Popery. To take an instance on the other side from more modern times—during the Irish rebellion—Wolfe Tone could have taken any religious test you could have put to him, but it would have been the height of

imprudence to place him in any office of trust, and in all likelihood he would have joined the invading army. A religious test, therefore, is a bungling and fallacious proof of loyalty. A man's opinions are known from his conversation, his character, his associates; and the best security you can have in the disposal of office is to leave to the discretion of the Executive to reward the loyal and keep down the disaffected.

But at the time of which I am speaking this test could not be used. The King himself was pretty well known to be of the dangerous sect. Parliament, therefore, the best security failing, resorted to one of an inferior kind, the best under the circumstances. But for us, who have the security of a King attached to the Church of England, by law, by affection, and by principle, what need have we of keeping up the barrier that was erected, not to defend the Throne from the people, but to defend the people from the Throne? As a further illustration of what I have been saying, allow me to mention what appears at first sight a strange anomaly in our law. The Sacramental Test is not applied to ecclesiastical offices. A Bishop's chancellor, for instance, or a Bishop's registrar, was never subject to it. Why? Because Parliament could safely confide to the discretion of the Bishop that he would not appoint an enemy to the Church.

I come now to the time of our Revolution, when it might be expected that these illiberal and impolitic laws would be repealed; but, in fact, no alteration whatever was made in them. William came down to Parliament and openly expressed his wish that all Dissenters, who were 'willing and able to serve,' should be admitted to offices and places of trust; but those who had to conduct the Government, considering that the Revolution had changed the dynasty, and that the Church was greatly offended by the introduction of the Toleration Act, did not think it

safe—as it was meant that the Establishment should last—to grant any further liberty to the Dissenters at that time. I hope that my right hon. Friend near me (Sir James Mackintosh) will confirm the statement I now make of the view which our Whig ancestors took of the position of affairs at that time. Indeed, I have the authority of Bishop Burnet for saying that the Church at that time was anxious for the repeal of the Toleration Act, and wished for the restoration of the Stuart family. Under such circumstances, therefore, it would have been dangerous, by granting further concessions, to provoke the more active enmity of the great body of the clergy. In the same situation affairs continued during all the changes of parties (for when the high Tory party were in power, they, of course, were against granting any liberty whatever) till the time of George I., when Earl Stanhope, a zealous Whig, proposed to introduce a clause for repealing certain parts of the Test and Corporation Acts into a Bill brought into the House of Lords. The clause met with serious opposition in the House of Lords, but at the same time was supported by some of the men most eminent for loyalty and public spirit, and likewise by some of the most learned among the Bishops. I mention this latter circumstance because we are not accustomed in the present day to hear from Bishops sentiments favourable to liberty. The clause proposed by Earl Stanhope was supported by the Bishops of Gloucester and Lincoln, but more especially by Hoadly, Bishop of Bangor, and Kennet, Bishop of Peterborough, from whose speeches I will, with the permission of the House, read two short extracts. Bishop Hoadly said that 'the imposing of religious tests as a qualification for civil and military employments abridges men of their natural rights, deprives the State of the services of many of its best subjects, and exposes the most sacred ordinances of the Church to be profaned by

irreligious men for temporal purposes. The principle of depriving men of any of their civil rights on account of their religion, however moderately exercised, and however speciously covered by the name of self-defence, would justify the persecutions of heathens against Christians, and those of the Inquisition against Protestants.' Bishop Kennet said that 'he could not allow this Bill to be against the Church, but thought it tended rather to its advantage and security; that he had observed from history the Church was most flourishing when the clergy did not affect more power than fell to their share, and were tender of the liberties of their fellow subjects; but that when the clergy promoted arbitrary measures and persecutions, as they did in the reign of Charles I., they brought scandal and contempt upon themselves, and at last ruin upon the Church and State.' 'That the words "Church," and "danger of the Church," had been used out of their original use to carry on sinister designs; that those words made a mighty noise in the mouths of silly women and children' [hear, hear]. I would not venture to use such language. The House will remember it was a Bishop who was speaking. His speech continues in these words: 'in his opinion, the Church of England, which he defined to be a scriptural institution upon a legal establishment, was founded upon a rock, and could not be endangered so long as we enjoyed the light of the Gospel and our excellent Constitution.' Similar sentiments were entertained by some of the most enlightened prelates of that day. Still, however, Lord Stanhope failed in his object, and the clauses were rejected. Sir Robert Walpole, who succeeded, being a man who never gave up, during his long career, any practical good for the sake of a large and general principle, constantly opposed every effort made in Parliament for removing the restrictions on Dissenters, at the same time telling them that he was favourable to their

objects; that he approved of their views, but that he never would support them. Such was the wisdom of our ancestors at that period. They thought that the House of Hanover would not receive the support of the Church if they gave further relief to the Dissenters, and the Dissenters themselves consented to endure their privations for the sake of the inestimable blessing which they found to flow from the expulsion of the Stuart dynasty, and the establishment of the Brunswick family. The Dissenters, indeed, as zealous in behalf of the political liberties of the country as they were in the reign of Charles II., showed themselves willing to submit to the operation of a severe law rather than allow the necessary work of the establishment of the House of Hanover to be endangered.

From the feeling of the Government on this subject—merely wishing to favour, and not attempting to remove at once all disabilities—arose an anomalous state of things. Four Acts of Indemnity were passed in the reigns of George I. and II., and before the year 1743—Acts indemnifying persons who had not complied with the forms of the Corporation and Test Acts. In point of strict justice, nothing could be less defensible. If the Dissenters were dangerous, they ought to have been excluded altogether; if not dangerous, they should have been fully admitted. A single instance will suffice to show the absurd and anomalous position in which the question regarding Dissenters was thus placed. In 1745 many Nonconformists came in to assist in supporting the Government, and suppressing the rebellion raised by Prince Charles, who attempted to obtain possession of the Throne. They acted most gallantly in co-operation with the King's forces, and their exertions were crowned with success. It might naturally be supposed that they would have received some acknowledgment of their services. What reward does the House suppose was bestowed upon the men who

had defended the King, maintained the authority of Parliament, and vindicated the liberty of the country? Did the Crown shower orders and honours upon them? Did Parliament vote them their thanks? Did the people express to them their gratitude? No such thing: the Sovereign gave them no honours, the Parliament no thanks, and the people no gratitude; they received for their glorious services from the munificence of King, Parliament, and people—a full and free pardon. Is anything more wanting to show the absurdity of laws, which brand the most loyal of the King's subjects, and inflict penalty on the best deeds of patriotism and courage they can perform? The Act of 1747, so far from being singular however, has now for eighty-five years been the principle of your legislation on this subject. A pardon, such as it is, not like the Act of 1747, but conditional and incomplete, is passed yearly to forgive good men for doing good service to their country.

So much for the history of these Acts. And it brings me immediately to the principle upon which they are founded. You enacted them to guard against a particular danger; does that danger now exist? If danger were apprehended from Dissenters, why pass Acts from year to year pardoning those who by law are excluded from taking office for taking office? I can easily imagine the necessity of pursuing such a course for five, ten, or fifteen years. Government may have said, 'Wait a little; we are not assured of the loyalty of these persons; do not give them freedom all at once, but see first how they will act.' But that Parliament should go on with Acts of indemnity for eighty-five years—that they should not, at this time of day, be satisfied of the loyalty of the Dissenters, is a thing against all rules of justice, of policy, and of prudence.

The next objection to the present law is to the nature of the tests required, which are of a very serious and

solemn character. The Sacrament of the Lord's Supper is held by the Church to be most sacred, and it is declared in holy writ that those who receive it unworthily 'eat and drink their own damnation.' There are other words of similar import in different parts of our Liturgy. This solemn rite is used for the purpose of ascertaining the fitness of persons to hold civil office. A person of eminence in the last century, Dean Sherlock, said, indeed, 'We oblige no man to take the sacrament, but if he can, and does receive it, we admit him to office.' But this is a mere evasion. When men are told that if they take the sacrament they will be fit to hold office, and not without, it is in fact holding out to them a temptation to abuse the sacrament, and to pervert the most holy of God's ordinances to purposes of the most paltry ambition. It is putting the consideration of patronage and profit in contradiction with the most sacred duty a Christian can perform. I beg to call the attention of the House to the practice which prevailed before the Indemnity Bills came into operation. It might happen that when a person went to receive the sacrament the clergyman would refuse to administer it, from motives of personal malice. If this were the case he sustained a civil injury. The learned dean to whom I have before referred says, that 'if a person were refused the sacrament from malice on the part of the clergyman, he might go into a court of law and complain of the civil injury which he suffered in consequence.' It is held in the courts of law, that if any person who is refused the sacrament has committed some open sin, no civil injury has taken place. Let the House imagine the situation in which a clergyman is placed, who may from his own knowledge be aware that the person applying for the sacrament is not worthy to receive it, yet cannot prove that he has committed any open and notorious sin. According to the oath which he has taken, and the ordination vow imposed on him, he should refuse the sacrament

under such circumstances; but then he knows that if he does so he will be dragged into a court of law, and forced to pay a penalty. This was the situation of a clergyman at the period to which I allude, and, consequently, being obliged to administer the sacrament to all persons, such scenes of scandal took place as it is hardly possible to describe. It is stated in historical works that it was the custom for persons to be waiting in taverns and houses near the church, not going in until service was over. The ceremony used to be called 'qualifying for office;' and an appointed person called out, 'Those who want to be qualified will please to step up this way.' Persons then took the communion for the purpose of receiving office, and with no other intent whatever. Such are the consequences of mixing politics with religion. You embitter and aggravate political dissensions by the venom of theological disputes; you profane religion with the vices of political ambition, making it both hateful to man and offensive to God.

Seeing the right hon. representative for the University of Oxford opposite, I must really put it to him, whether he is prepared to say that that University desires such Acts as those now complained of to be continued, in order to maintain the purity of religion?—whether he thinks that legislation of this kind is calculated to induce men to entertain a greater respect for religion, or to induce Dissenters to believe that the Church from which they differ is pure and blameless?

It is said, however, 'after all, the grievances of which you complain are only theoretical—they no longer exist in practice—Dissenters are not in fact kept out of office.' I will say, in the first place, that if the case be so, that is not a sufficient argument in support of these Acts. Statutes imposing penalties and restrictions on men on account of religious belief can be justified on no other ground than

that of necessity. When that ground is taken away, the Acts remain exposed in all their naked deformity of principle, and that principle is religious persecution. But it is not a fact that no practical grievance is suffered by the Dissenters. Indeed, the fact is far otherwise; the real practical grievance is a great deal more than the legal grievances which appear on the face of the statute. Though it be true that by later statutes indemnity was given to those who omitted to qualify, yet that indemnity was given on the ground that the omission was occasioned by ignorance, absence, or unavoidable accident. Those words evidently do not apply to those persons who had omitted to qualify from grounds of religious scruple. The situation in which the Dissenters at present stand is evidently considered one of practical grievance by the best and ablest defender of the Test Acts, I mean Lord North, who said, speaking of those Dissenters who took advantage of the indemnity, 'This sort of mental fraud did not recommend these persons to the indulgence of the Legislature; it was an evasion and an abuse of an Act of Parliament.' With such a declaration as this staring them in the face, how can it be expected that men whose nice scruples are the cause of their dissent will submit to the stigma—will render themselves liable to the imputation—of acting fraudulently, in order to obtain offices and emoluments which the Church would allow them to obtain in no other way? That they will not do so I know for a fact. A great portion of the Dissenters say among themselves, 'We will not accept of office on these conditions: if we cannot hold office without the degradation of being liable to an imputation which we scorn, we will refrain from office and emolument altogether.' What is the consequence? The State is deprived of the service of men who would be amongst her bravest defenders in military achievement, and the most illustrious of her servants in civil capacity. The individuals thus shut out will always

retain—I will not say a bitterness—but a soreness of feeling against the Church which excludes them, and the State which makes their admission to office a reproach to them.

Not only this; it should also be recollected that it is in the power of any corporation, actuated by bigotry or personal animosity, to carry the Corporation Act into effect against Dissenters. I have in my possession a statement of cases which have occurred in the course of the last few years, in which persons who had a minority of votes in elections for corporative offices have been declared duly elected, because a previous notice had been given that the individuals who had the majorities could not act from being Dissenters. If there are so many cases of this kind that appear in the records of a court of law, how many other cases must there be in which the Dissenters will not come forward to expose themselves to the risk of such an objection? More than this: persons admitted to office ought, under the Test Act, to produce their certificates. Dissenters do not like to expose themselves to the chance of those certificates being demanded. Rather than that, they will consent to forego office. The consequence is, that not one-tenth part of the Dissenters who, in proportion to their numbers, would be appointed, do at present hold office.

I have now stated, Sir, some of the practical grievances under which the Dissenters labour, but I am aware, whilst I am proving that these Acts operate to the exclusion of Dissenters, I am only confirming many persons in the belief that it is necessary to continue them. I allude to those persons who use the argument of the security of the Church, and who think that in proportion as the number of Dissenters excluded is large, it is so much the better for the Church, that the Establishment is so much the safer. I, however, cannot admit that the security of the Church is founded on any such exclusion. I think

with Bishop Kennet, and I believe the security of the Establishment consists in its moderation, its fair temper, and in its decent worship being conformable to the wishes, sentiments, and consciences of the majority of the people; and if it were not so—if it were not agreeable to the people—can it be imagined that any Test, any exclusive laws, will save the Church, and prevent its being destroyed by the overwhelming mass of its enemies?

'But,' says a learned prelate of the present day, 'the property of the Church will be liable to be affected by the various classes of Dissenters, if you admit them all to office.' I think that argument is the most impolitic that could be advanced; for if those who use it ostentatiously declare that they cannot admit the numerous millions—I will not say how many—of Protestant and Catholic Dissenters, to the enjoyment of the civil rights of Englishmen, because such enjoyment necessarily tends to the destruction of the Church property, in the minds of all those Dissenters the enjoyment of civil rights and the division of Church property are sure to be confounded. I consider it most impolitic to use such an argument, and I likewise consider it quite unfounded. With respect to the Protestant Dissenters—at least the greatest part of them—they cannot be supposed to entertain the desire of taking any of the Church property to themselves. And why? Because they consider that a rich Church is not the instrument by which Christianity can be best promoted; and, therefore, they have no wish to aggrandize themselves. If the security of the Church of England be founded solely on the Test and Corporation Acts, I will ask what is the security for the Church of Scotland? By the Articles of Union, the Presbyterian is declared the true religion—it is the established Church of that country, and yet no Test or Corporation Acts exist there. Nothing of the kind. If these laws be necessary for the security

of the Church of England, they ought likewise to be enacted for the security of the Church of Scotland.

But their case is still stronger. In order to diminish still farther the security of our northern Church, persons of the Church of Scotland cannot come to this country and take office without being liable to the penalties of these Acts, although being of the Church established by law in another part of the kingdom. Then, with respect to Ireland: if the Corporation and Test Acts be necessary to the security of the Church in England, it would be supposed that they must necessarily exist in Ireland. That, however, is not the fact. The Corporation Act never, I believe, existed in Ireland. The Test Act was introduced there in the reign of Anne, and was abolished some forty-eight or forty-nine years ago, since which time it has not existed in that country. Yet the House will remember, that a right hon. Friend near me, not many years ago, told us that a person of considerable importance in the State said it would be dangerous to concede the Catholic claims, because it would lead to the repeal of the Test Act in Ireland, without which the Church never would be safe. This anecdote shows how much of what is really fanciful and imaginary enters into the arguments of those who talk of danger to the Church, and call for securities.

Another argument in support of these Acts, which was much relied on in the course of the last century, was found in a letter of our great deliverer; who declared it to be 'a thing contrary to all the laws and customs of all Christian States, whether Protestants or Papists, who admitted none to a share in the Government or public employments but those who professed the public and established religion, and endeavoured to secure it against all attempts whatsoever.' Such was the argument of King William; but how does it apply to the present

time? Is it now the case, that persons who do not profess the religion of the State are excluded from civil and military employments in all countries? The fact is notoriously otherwise. In France, the Netherlands, Germany, Austria, and Austria in Italy, no such law exists; but persons of all religious persuasions are eligible to office. The English Protestant Dissenter, if he were to leave his country, might be admitted to all the employments of Catholic Austria, might go from exclusion at Bath or Huntingdon, to sit in the municipality of Prague or of Milan, might even be admitted to the Council of State of Vienna; and yet here he still stands a suppliant, imploring tardy justice from the Parliament of Protestant England!

I have now gone through the chief points I wished to press upon the attention of the House. I have shown that history will not justify you in maintaining these Acts. The first of them was raised as a barrier to the Throne against a party who had recently overturned it. But whatever the Dissenters of that day might feel towards the House of Stuart, the Dissenters of the present feel nothing but loyalty towards the House of Hanover. The Test Act, again, was intended as a barrier against the King, who was a converted Papist; you have now a sovereign who is firmly attached to the established religion. For a long period these Acts were maintained for fear of driving the Church into the arms of the Jacobites: there is now no fear that the clergy will look for promotion or favour through any other than the legitimate channel of his Majesty's Treasury and Chancery. I have shown you that all ground of necessity fails, the Acts having been suspended for more than three quarters of a century. I have proved, I trust, that they violate the sacred rights of conscience, and are of the nature of religious persecution. I have shown that, so far from

not inflicting any hardship on the body upon whom they operate, they are fraught with great mischief, irritation, and injustice. I have shown that they are totally at variance with our own policy in Scotland and Ireland, as well as with the enlightened legislation of all the Christian countries of Europe. If I am asked what advantage the country is to derive from the abrogation of such laws, I answer, that the obvious tendency of the measure, independently of its justice, will be to render the Dissenters better affected to the Government, to inspire them with dispositions to bear the heavy burthens imposed on them by the necessities of the State with cheerfulness, or at least with resignation; and, above all, it will be more consonant to the tone and spirit of the age than the existence of those angry yet inefficient and impracticable laws which are a disgrace to the Statute-book. I have heard with considerable pain that it is the intention of the new Ministry to make this what is called a Government question, to array all the power which their influence can muster against it. I am sorry to learn this; not on account of the question itself, whose progress they may retard, but never can prevent—I am sorry to hear it, because it is an indication on the part of Government of a determination to resist the liberality which is daily gaining ground in the great mass of society. Whatever kings or parliaments may think of their power, they must more or less submit to be influenced by the spirit of the times in which they live. The history of the last few years speaks aloud this undeniable truth. Of Lord Liverpool his warmest admirers must admit that the country governed him at least as much as he governed the country. It was conformity to this spirit that constituted all of hope and fame that attached to the political character of Mr. Canning; his name was great because he went along with the spirit of the times. Even the illustrious person

now at the head of His Majesty's Government must consult the same voice, and conform to the same standard. That illustrious person is justly hailed as the preserver of Portugal, the deliverer of Spain, the conqueror of Waterloo, —as one of the greatest military chiefs his country has ever produced—that country to whose gratitude and admiration he is entitled by a list of services never to be forgotten. But even he, with all his fame, standing in such a position as few men have ever stood in, with the patronage of the Church, and the State, and the Army in his hands, an army of 110,000 men, attached to him not merely by their interests or their professional hopes, but by the memory of past dangers, possessing the confidence —I had almost said the authority, of his Sovereign—yet even he, with all his character, with all his patronage, with all his power, must modify the exercise of those several qualities, and in the tone and features of his Government, if he would have it last, conform to the spirit of the times in which he lives. No matter how great his achievements or his glory, to the spirit of improvement which has gone abroad he must bow. It is wisdom to do so without reluctance or hesitation, it is wisdom to take his lesson from the signs of the hour, without waiting for the dictation of necessity, or allowing a meritorious body of individuals to stand, year after year, at the doors of Parliament, asking for what it is a disgrace to have so long refused. Such is the line of conduct that would best become the Government; but whether adopted by the Government or not, the House is interested in observing it, and by agreeing with the motion with which I shall conclude they will but discharge their duty, and render an act of justice to three millions of their fellow-subjects. I move, Sir, 'That this House will resolve itself into a Committee of the whole House, to consider of so much of the Acts of the 13th and 25th of

Charles II., as requires persons, before they are admitted into any office or place in corporations, or having accepted any office, civil or military, or any place of trust under the Crown, to receive the Sacrament of the Lord's Supper according to the rites of the Church of England.'

The motion was supported by Mr. John Smith, Mr. Wilbraham, Lord Nugent, Lord Milton, Sir Thomas Acland, Lord Althorp, and Mr. Brougham. It was opposed by Mr. Secretary Huskisson, Sir Robert Inglis, and Mr. Secretary Peel. The House divided at one o'clock: ayes, 237; noes, 193. Majority for, 44.

PETITIONS FOR AND AGAINST ROMAN CATHOLIC CLAIMS.

February 12, 1829.

LORD JOHN RUSSELL said he begged leave to call the attention of the House to the petition which he held in his hand. The petition prayed for the removal of the civil disabilities under which the Roman Catholics laboured. The petitioners were the ministers of the Protestant Dissenters, known under the denominations of Presbyterians, Independents, and Baptists. These denominations of Protestant Dissenters had been settled in the metropolis ever since the Revolution, and they had been repeatedly allowed to address His Majesty on the throne. The petitioners had last year petitioned against those parts of the Test and Corporation Acts which related to the Sacramental Test, and from which they wished to be relieved. They obtained the relief they prayed for. The first act of the petitioners this year was to return thanks to Parliament for the favour they had obtained; but in the next place, they conceived it to be an act of duty to ask that for others which had been extended to them-

selves. They looked round, and seeing that there were still upon the Statute-book disabilities of the same nature with those from which they had been relieved, they resolved to petition for the removal of all disabilities on account of religious opinions. It would be only fair in him to state that this resolution was not carried unanimously. There were eighty-three Protestant Dissenting ministers present, of whom about fifteen voted against the resolution. The petitioners were not, indeed, rich in revenues from the profession of their religion, but they were accustomed to the deep and earnest study of that religion, and they objected to the Church of England, because it approximated too nearly to the Church of Rome. No men, therefore, could be farther than the petitioners were from inclining towards the Roman Catholic faith; but, considering that every man had a right to the free exercise of his conscience in matters of religion, they thought it incumbent upon them to express their conscientious opinion, that religious tenets should be no bar to civil employment. A statement had been somewhere made, that these petitioners had last year declared that they had no connection with the Roman Catholics, and that, therefore, it was a breach of faith in them to come forward now with petitions in their favour. This assertion was destitute of foundation. A proposition was made last year, that the Protestant Dissenters should join with the Catholics. He, among others, was consulted upon this proposition, and he was decidedly of opinion that they ought not to petition in conjunction. His reasons for this opinion were, that as there was a difference in the degree of their disabilities, and as their cases stood in many respects upon different grounds, it would be disrespectful to the House to club the two together. Reasons might be urged against the one which would not apply to the other; and he, therefore, thought that

the interests of both would be rather retarded than forwarded by such a conjunction. But when the petitioners had asked and obtained the remission of those penalties under which they laboured, they thought it would be ungrateful as well as inconsistent in them, if they became partners in a monopoly of which they had before complained, and did not express the opinion contained in the petition.

REPRESENTATION OF MANCHESTER, BIRMINGHAM, AND LEEDS.

Tuesday, February 23, 1830.

LORD JOHN RUSSELL said that before he proceeded with the Motion of which he had given notice, he wished to lay before the House a Petition which had been committed to his care from the inhabitants of the extensive and important town of Sheffield. The petitioners complained that several large, populous, and wealthy towns were at present excluded from the exercise of the Elective Franchise, whilst in very many instances that privilege was enjoyed by the inhabitants of small places of no importance, and was often exercised in an unworthy manner. The petitioners therefore prayed that the franchise might be extended to their town, and to such other populous, wealthy, and intelligent places.

LORD JOHN RUSSELL moved that the three Orders of the Day, of March 19, 1821, June 22, 1827, and March 31, 1828, relative to Bills to transfer the Elective Franchise from boroughs convicted of corruption, to Leeds, to Birmingham, and Manchester, should be entered as read. This was done, and his Lordship then addressed the House as follows:—Although I feel not, Sir, the smallest doubt both as to the justice and as to the expediency of the propositions which I am this night about to submit to

the House, yet I do feel a considerable degree of apprehension that these propositions may not meet with that success which I should wish to see conferred upon them by a majority of this House. I am aware that there are many persons who are actuated by perfectly conscientious motives, but who have such a dread of Reform, to which the old and accustomed epithets of 'wild and visionary' have often been attached, that they view with suspicion any Motion which has Reform for its object. To them I will only say, that if ever there was a proposition for Reform that was not wild and visionary, but that was practicable in its objects, practicable in the grounds on which it went, and practicable in its results, it is that which I am about this night to propose to the House. I likewise fear that some objections may be made to this Motion in the minds of those who are connected with the landed interest of the country. I am aware that of late years there has been a strong degree of suspicion and jealousy unwisely and foolishly encouraged between the landed and the commercial interests. I hope that on this night, if not entirely laid aside, these jealousies will be suspended, and that we shall come to the consideration of this question neither with a view to the exclusive advantage of the commercial nor of the landed interest, but of both; the more especially at a time like this, of great public distress, when it is more than ever expedient to unite, as much as possible, persons representing every kind of property, and connected with every kind of interest, in order to remedy the evils that now oppress us, and to avert the dangers that may hereafter threaten the country. I have, Sir, likewise another apprehension that this Motion will be opposed, as others of a similar kind have been, by the influence of the Government in this House. I confess I cannot but think that if some Members of his Majesty's Government feel an objection to my Motion, it would yet be wiser on the whole, if they were not to array themselves as a body

against a proposition of this nature. It is a proposition that will tend to bring into this House persons representing large classes of the population, and bearing a large proportion of the public burthens; and I cannot help thinking that it would be highly imprudent to array the whole army of Ministerial influence against so seasonable a proposal. There is an old quotation from Lord Bacon's works, which has often been heard within the walls of this House on subjects of this kind, and which says that 'Time is a great innovator.' If Lord Bacon had lived to the present day, he might have changed his maxim, and have said 'Taxation is a great innovator.' Persons who bear great burthens are apt to look into them to demand their causes, and to satisfy themselves that the Government which imposes them is carried on with the strictest integrity, and with a large and liberal purpose, which, perhaps, if they were less heavily taxed, they would not think of requiring. The people now look with more suspicion to the motives of this House than in any former times. They always do, in fact, look with suspicion on the acts of the Government when its burthens weigh heavily on them, and their suspicions are great in proportion as they have no voice in the imposition of taxes. With this notice of the reasons that induce me to bring it forward, I will now go to the Motion I have to make, and state its nature and extent. The Motion is for leave to bring in a Bill to enable the towns of Manchester, Birmingham, and Leeds, to send representatives to this House. I do not intend that the representatives thus sent shall form a permanent, but only a temporary, addition to the number of Members of this House. I intend to insert a clause in the Bill, if the House will allow me to bring it in, by which, if any borough is hereafter disfranchised on account of corrupt practices, the prerogative vested in the Crown may be suspended till

three boroughs have been disfranchised, and the number of Members in this House be reduced to the same amount as at present. Such, Sir, is a simple statement of the Bill I mean to introduce. With regard to the amount of qualification, I shall propose that it should be somewhere between 10*l.* and 20*l.* a year, and I would not allow non-resident voters to exercise their franchise at the election. I should recommend this in order that elections may be as short as possible, and that the elections of Members for these towns may be in contrast rather than in conformation to the established practices of bribery and corruption that prevail so much elsewhere. The grounds on which I propose this Bill are not very difficult for the House to understand. It is perfectly well known and universally acknowledged that it was an admitted principle of the Constitution in former times, that when there were any towns which did not send representatives to Parliament, and which were yet entitled to do so on account of the property they possessed and the interest they represented, Parliament interfered, and by several Acts conferred the right on these particular places, in order (as it was said with respect to Durham, the statute regulating which I have now before me) to represent the condition of their county to Parliament. It is, therefore, evident that with respect to places totally unrepresented, Parliament has allowed the creation of new elective franchises whenever those places have been in a condition to call for such an Act. But there is another point to which I wish to call the attention of the House; and that is, that the Bills of which I required the entries to be read have, in fact, admitted the declaration to be true; that Manchester, Leeds, and Birmingham are not sufficiently represented in this House; and that it is desirable whenever a vacancy shall occur to give representatives to these places. I have, therefore, established two points. The one is, that

where counties and places have been totally unrepresented, it is in our power, and it is our duty, to give them representatives; the other, that in case of those places being disfranchised, the House of Commons has already decided that these towns have a good right to be represented, and that when any vacancy happens it ought to be given to one of them. It will, therefore, be seen that the want of representatives for these towns is so great, that Parliament ought to admit them at once, without waiting for the vacancy; and till we do admit them in this manner there is little hope that they will have representatives in this House. It is now more than ten years since I proposed, that when any borough was disfranchised on account of corruption, its place should be filled up in this House by representatives from some of the larger towns. That proposition was met by the Ministers of the Crown in the fairest manner, but though ten years have since elapsed, and several boroughs have since forfeited the franchise, not a single step has been taken for the accomplishment of that object; and, on any future occasion of this kind, let the House consider what are the difficulties that stand in the way of transferring the franchise in this manner. The first difficulty is in giving proof of the corruption sufficient to satisfy the Members of the House; and when that has been done, we are met with the conundrum of the right hon. Gentleman, that when a particular county has not more than eight representatives, we must not transfer the franchise from that county to any other place. But suppose we have been fortunate enough to get over the difficulties in this House, and that we are able to carry up our Bill to the other, we shall find in that House numberless suspicions and fears of any measure of this kind, which it is almost impossible to conquer. The Bill having a double object, the one to punish former delinquency, and the other to fill up a vacancy by sending

Members from large towns, those who object to the latter, as many noble lords always do, can lay their fingers on the former and say they are not satisfied with the proof of corruption, and throw out the Bill without the appearance of opposing it on the general principle of Reform. This has already been the case; and thus that plan which I once hoped would amend the state of this House has proved to be one which does but perpetuate the evil. Such, then, are the difficulties, almost insuperable, placed in the way of this or any other species of Reform. I look in vain for any other mode; and I therefore lay before the House humbly, but strenuously, the question, whether the claims of these large towns recently grown into opulence and power do not press so urgently upon us as to call on us to go up to the House of Lords, not with a mixed Bill of penalty and investiture, but with one in which we shall make our stand on the broad principles of general representation, which, if allowed, our object will be gained; if denied, it will appear on what ground the dispute between the two Houses really rests. I am afraid that in going into proof of the changes which the different great towns have undergone, I shall be obliged to trouble the House at some length, but the importance of the subject must be my excuse. I will begin with calling the attention of the House to the great increase in the population of these towns since the commencement of the last century. The population of Manchester, in 1708, was 8,000; in 1753, it was 27,000; in 1791, it was 70,000; and in 1821, it was 133,000. That part of the environs of Manchester which I included as part of the borough in my Bill for transferring the franchise from Penryn to that town, if added to the other portion, will make up a population of 186,000 souls. The increase in Leeds and Birmingham has gone on in a similar manner. The population of Leeds in 1774 was 17,000; in 1801, it was 53,000; and in 1821, it had risen

to 83,000. The population of Birmingham at the time of the Restoration was 5,000; in 1700, it was 15,000; in 1781, it amounted to 50,000; in 1791, it had reached 73,000; and in 1821, it was as high as 106,000. I ask, Sir, whether this great increase in the population does not lead the House to acknowledge that some change ought to take place with respect to the manner in which the interests of these towns are represented here? But I will go on yet a little farther with respect to Manchester. Having inquired into the rental of Manchester, I have found that the county rate is raised upon a rental of 750,000*l.* I asked several gentlemen whose opportunities of information are extremely good, whether the amount of property in and about Manchester might be safely estimated at 30,000,000*l.*, and I was told that that estimate would be below the real amount. Of the extent of trade and population in this town of Manchester some idea may be formed from the annual amount of the poor-rates—that amount being not less than 54,000*l.* The sum annually paid for freight on the canal is not less than 300,000*l.* These two facts of themselves afford the strongest proof, the most conclusive evidence, of the wealth and resources of Manchester. Then we come to the railroad between that town and Liverpool, on which there is annually expended the sum of 55,000*l.*; and it is estimated that the whole amount required for completing that great work will be about 800,000*l.* To make that a good speculation —and no one has any doubts of its being so—the trade between the two towns must be of an amount such as ought to entitle both to the highest consideration of the Legislature. But the rate at which it has been deemed advantageous to convey goods along this road is in itself a matter of just surprise and congratulation. Goods are to be conveyed along the road with three times the expedition used in the conveyance of letters by the mail. Of

the science and skill with which it has been executed, it is needless for me to trouble the House. One remarkable and interesting point about it is, that within a mile and a half of Liverpool it proceeds through a subterraneous passage; and that in other parts of it various physical difficulties have been overcome, making it altogether one of the most stupendous private undertakings of which this country has to boast. Manchester, too, has long been famous for its philosophical institutions; some most important discoveries have been made there in bleaching by a member of the Manchester Philosophical Society, and through the agency of that body were the discoveries made known, and carried into practical operation. Thus do we see how advantageously the course of philosophical discovery is made available to the purposes and conveniences of ordinary life, when the general enlightenment which belongs to large manufacturing communities is acted on by the concentrated force of minds devoted exclusively to science. The name of Mr. Dalton, also an inhabitant of Manchester, is well known to science, and with many others, which it would take too much time to enumerate—add to the already strong claims of Manchester to be represented in this House. But Manchester is the centre of a great extent of country, peopled by a great commercial and manufacturing community, engaged in the most important and flourishing of the manufactures of this country, and is, therefore, the district which most wants, and is best entitled to send, representatives into this House. I have said that the goods of Manchester are the most important of our manufactures; the goods of Manchester are seen in every part of the globe to which a ship or any other mode of conveyance can penetrate. Yes—its goods are seen everywhere; but in this House to represent it Members have never appeared. The time has at length come when I hope that reproach

to our Legislature shall be removed. After having so long occupied the House with details respecting Manchester, which, as I conceive, entitle it to be represented in Parliament, as the grounds on which I desire to apply for the same privilege on behalf of Birmingham and Leeds are pretty nearly similar, though applying to a different species of manufacture, I shall not trouble the House by entering into any such particulars relative to those towns as I have thought it necessary to state in the case of Manchester. They each carry on a great and important manufacture—they are the centres and the capitals of those manufactures respectively—they are the seats of great property and of considerable intelligence. I know I shall be told that those places, though not specially represented, are still sufficiently and practically represented in this House by the county Members. I beg of the House to consider a little before it allows such an argument to have any weight with it. It is pretty well known that the county Members are generally persons of large landed property, and are returned by the Landed Interest; therefore they at least can never be said to hold their seats as the representatives of any Manufacturing Interest, and are independent of any such. Besides, they are not very dependent even upon those who return them. When once a gentleman becomes a county Member, he generally remains so for many Parliaments; and even though he be not able to attend his duties here, he does not in consequence lose his seat, as we have an example in the case of the Member for Lancashire. But suppose the county Member had the fullest inclination to do all in his power for the manufacturing interests of the place he represented, how could he, and he alone, do all that might be required for his landed constituents, and at the same time attend to the numerous and complex interests of a large manufacturing and commercial community? In practice it is seen that

the county Members are never able to attend to both; and what is the consequence?—that when any great question is likely to come before the Legislature materially affecting their interests, or when they desire to bring forward anything of themselves, instead of making it known through their representatives in this House—the natural, legitimate, and constitutional mode of communicating with the Legislature—a body of delegates are appointed, who come up to town and have interviews with his Majesty's Ministers; and conferences are held upon the wool, and cotton, and iron trades, and efforts are employed to make the Ministers comprehend the interests of those parties, and bring forward such measures in Parliament as the interests or rights of the applicants require. How infinitely better would it be that the people of those districts should be regularly and constitutionally represented in this House—that Birmingham, Leeds, and Manchester should return Members capable of advocating their interests, and explaining their views! A due representation of those districts would also be attended with this beneficial effect, that it would prevent the alienation of the public mind of those districts from the House of Commons—it might naturally be expected to excite a feeling of confidence, and make them in times of difficulty and distress look to the calm and temperate deliberations of Parliament, rather than to any proceedings of their own. Even in the present Session there are questions likely to come on in which trading and commercial towns are peculiarly interested—that concerning the renewal of the Charter of the East India Company, for example. Could a question like that be soundly discussed or wisely decided without reference to the information which the representatives of our trading communities could alone supply, and without reference to those feelings of which such representatives are alone the proper organs? How could the

question of the trade with India and with China be ever properly considered without those aids? Then comes the banking question: who so fit to be heard on such a question as the representatives of Leeds, of Birmingham, and Manchester?—who so qualified to assist the House in deciding whether the Charter of the Bank of England ought or ought not to be renewed? Having laid before the House what have appeared to my mind the chief grounds upon which I think this change in our representation should be made, I come now to some of the chief objections which may possibly be urged against the change, with the proposal of which I intend to conclude. I possibly may be told, in the first place, that previous to the union with Scotland and Ireland the number of English representatives was fixed; and that now, to increase that number by introducing representatives for the three towns in question would be an infraction of the compacts formed between those countries and this. I conceive that in all questions of compact the first thing we have to do is to inquire whether the alteration we propose to effect will do any real injury? Now I cannot conceive what injury Ireland or Scotland could sustain from the introduction into this House of six representatives for the three towns I have mentioned. There can be no practical evil; and, in the end, I think there must be great advantage to them from such a change; for if in Scotland or in Ireland it could hereafter be shown that any great town in either country required representation, the precedent would be in their favour. But it is absurd to talk of too scrupulous an observance of the compacts with those countries; the compacts have been broken more than once, and a further infraction of their letter for the general good, and for the contingent advantage of the weaker countries, ought not to form any insuperable impediment in the way of a Legislature which has broken

through them so freely in some cases that I can name. For example, the heritable jurisdictions have been abolished since the Scotch Union, and Catholic Members may now sit for Scotland, though for long after the Union none but Protestants were eligible. In adopting that measure Parliament was governed, I conceive, by the soundest considerations of policy. I do not know whether I am at liberty to allude to what was said in another place on the discussion of the Catholic Relief Bill; but I hope I may be allowed to call the attention of the House to a speech made by Earl Grey on that occasion, in which he completely overset the whole of this argument, so far as Scotland was concerned. I never remember anything more conclusive and satisfactory than was his reasoning; nor do I ever remember to have heard a more able, luminous and powerful speech than that of which the reasoning I allude to formed a part. I think it is impossible to bear the observations of the noble Earl in mind, and doubt for a moment that we are at perfect liberty to commit any infraction of the letter of those compacts which may be for the benefit of the whole community, as it never could be the intention of those parties by whom the compacts were framed, to enter into any obligations inconsistent with the true interests of the population of the United Kingdom at large. I shall now come to another objection—it will be said that the admission of six new Members has the effect of sanctioning a principle which would let in thirty or forty new Members as readily as six, and that other great towns are as well entitled to be represented as Birmingham, or Leeds, or Manchester—that the line has been already drawn, and that if once passed, none can foretell the remote consequences—that the very petition presented this night from Sheffield affords the fullest evidence that the communities desiring representation, and as well entitled to it as those I have mentioned, will not be

limited to those three. Let this be examined; it deserves to be looked into, for it has something of a logical appearance though no real foundation in truth; for be it remembered, that the three towns for which I claim representatives are under peculiar circumstances; they are the capitals of three great branches of our manufacture; and Sheffield, though the seat, is not the capital of any great branch. Thus, the House will see, that though that objection sounds plausibly, it has no real foundation in truth; for the principle which admits Manchester, Birmingham, and Leeds, is not capable of extension to any other place. Not that I mean to say that either now or at some future time representation may not be further extended; but what I contend for is, that my particular Motion does not in its principle let in any but the three towns to which it particularly refers, and does not let in any others beyond that number. If Sheffield should, at any future period, attain the same rank, I see no reason for withholding from it a similar privilege. On like grounds, I would advocate the extension of this principle to any town in Ireland or Scotland which might reach such an eminence as has long since been attained by Manchester, Birmingham, or Leeds: but it is not probable that it could ever be applied, with propriety, to more than four or five towns at the utmost. But looking to its former Acts, I do not perceive that Parliament has been governed by such considerations of principle as those of which I have just been speaking. It was not restrained from disfranchising the Irish Forty-Shilling Freeholders from any consideration that future Parliaments would find in that proceeding a precedent for hereafter raising the qualification to 50*l.* or 100*l.* Excessively strict adherence to precedents must produce a practice of legislating for the maintenance of grievances, not for their abolition. Having thus briefly answered what I consider the chief

objections to my Motion, I have little more to add, except, perhaps, to advert to the supposed danger of this innovation—it will probably be denounced as an extremely dangerous innovation. I think the danger lies on the other side. I think the true spirit of the Constitution is in danger chiefly from those who, in their absurd apprehension of innovation, would resist all wholesome and salutary change—who are so wedded to ancient institutions that they overlook their unsuitableness to modern times and the altered condition of society. It is in prejudices such as these that I think the real danger will be found. I am not one of those who look upon the Constitution as a Grecian temple, perfect in all its proportions—a model of symmetry and grace, which additions would deform and diminution destroy. I rather regard it as a Gothic structure, from which many excrescences may be advantageously removed, and many additions made which would improve its proportions, and add to the security of its inhabitants. But there is also danger if we do not in a wise and liberal spirit meet the augmenting disposition to regard us with distrust which prevails out of doors. One of the true modes of meeting the evil will be to collect, within the walls of this House, as many as possible of the real representatives of the people. It is then, and not until then, that we can be regarded as the true representation and image of a great and powerful and free country. The more I consider this question, the more am I persuaded that the real danger is not in the change which I propose, and which some would call innovation; but in adhering to our ancient scheme of representation, and thus excluding from this House the wealthier and commercial towns of the country which are continually increasing in opulence and population. When I look abroad to other countries—when I see in a neighbouring country the collision going on between the Royal autho-

rity on the one hand, and popular resistance on the other; and when I see here institutions which temper those heats and animosities which confidence in a true Representative Government can alone fully allay, I cannot bring myself to believe that the danger is to be found in any quarter other than that which I have indicated. It is upon grounds such as these that I intend to submit to the House a proposition for enfranchising Manchester, Leeds, and Birmingham—and this I do, being, as I trust I ever shall be, an enemy to disorder, though a friend to liberty —opposed to slavish submission, though an advocate for peace. Deeply sensible of the delicate machinery of a Representative Government, I am anxious to assist in procuring for this country a Legislature and Administration worthy of the respect and deserving the affection of the people. I beg to move for leave to bring in a Bill to enable the towns of Manchester, Leeds, and Birmingham to return Representatives to serve in Parliament.

AFFAIRS OF PORTUGAL.

March 10, 1830.

Lord John Russell rose and said he could not allow the question to go to a division, although reluctant to detain the House, without stating his reasons for supporting the Motion of the noble Lord. When the Speech from the Throne stated, 'that the numerous embarrassments arising from the interruption of our diplomatic relations with Portugal increased his Majesty's desire to effect the termination of the evil;' and when they were told that the recognition of Don Miguel was not far distant, he thought there was no time so proper for the production of the papers connected with the negotiations as the present, in order that the House might be able to

judge of the propriety of the course of conduct pursued by his Majesty's Ministers. If the papers were not to be produced now, he did not know when they would be. It was now more than two years since the usurpation took place. It was more than one since a Motion of a right hon. Gentleman (Sir J. Mackintosh) obtained a portion of the papers connected with the negotiations which ensued, although it was now contended that to produce any part of the correspondence would be premature and unjust. Premature information was given twelve months ago, but further information was withheld now, because it was not mature enough for production. This was the argument of the right hon. Gentleman. The right hon. Gentleman, feeling himself unable to answer the noble Lord, had shown a discretion much to be commended, by passing over in silence all the most important topics of his speech. He agreed with the right hon. Gentleman, however, that the Government of this country, as a Government, did not give the Constitution to Portugal. But it interfered, as it were individually, and the Ambassador of this country, Lord Stuart, had concurred in its propriety, had been instrumental in its transmission from Brazil, and instrumental in persuading Don Pedro to adopt it. Mr. Canning, also, when it arrived, declared distinctly, in one of his despatches to our ambassador at Lisbon, directing him to recommend the Portuguese Regency to put in operation that Constitution, 'that any other course than the adoption of the Constitution would be full of danger, not only to the safety of the Crown of Portugal, but the Monarchy of Brazil.' This was certainly, on the part of Mr. Canning, giving strong advice to the authorities in Portugal; and in considering these transactions it should always be remembered that Portugal was the weaker Power, long accustomed to look to England for support in her struggles and difficulties, and assistance in her

times of danger. The right hon. Gentleman said, that while this Government felt bound to protect Portugal from aggression, it had repeatedly declared it would abstain from all interference in her internal concerns. Well, then, it was during this non-interference the Constitution was accepted. Yet it was said that it never was received by the people, and that its overthrow was to be attributed to their want of attachment. Then how came it to be established? How came Don Miguel to send the Duke of Cadaval on a mission to Don Pedro, to compliment him upon his acts, if the Constitution were deemed worthless by those for whom it was intended? But the question, as regarded England, was simply this—Was the Government at liberty to recommend the adoption of this Constitution, considering the relative connection of the two countries, and then to withhold all moral support from the Constitutionalists, who stood forth to vindicate the legitimate authority of the Throne of Portugal? If any reliance were to be placed upon the faith of national support, these men, he thought, had a claim to it, after the adoption of the Constitution had been recommended by the British Minister. Those persons who are called the friends of that Constitution, and who have suffered grievously for their adherence to it, were not disposed to become parties at any time to a rebellion against the existing Government. They accepted the Constitution because it came to them guaranteed by the credit of England; and they afterwards rose in support of it because they considered themselves to be supporting a legitimate authority, which would receive the aid and countenance of the English Government. It was cruel to think to what a fate these unhappy persons had been subjected, and to feel that the dungeons to which they had been dragged, and the scaffolds on which they had perished for their support of the Constitution, were the work of the English Govern-

ment, and the result of that course of conduct which had proved it so inconsistent with itself. It was asked, bad as the transaction was, what remedy was there but a declaration of war against Don Miguel? His firm belief was, that no such step would have been necessary, but that the firm and prompt language of remonstrance would have availed to save the Portuguese Constitution—sustaining it by inspiring the Constitutionalists with confidence in the good faith of England. From that part of his noble Friend's speech in which he spoke of the manner in which Don Miguel had dealt with the Constitution immediately upon his return to Portugal, he unfortunately differed. After that Prince left England his noble Friend was one of the Ministers who signed the order for the British troops to remain some time longer in Lisbon. Now, he must say that, had he been a party to these transactions, he should have been averse from leaving these troops in Lisbon after the Prince's arrival; had he, however, consented to their so remaining, it would only have been upon condition that instructions should have been given to our Minister at Lisbon to have kept a steady eye upon the movements of such a person as Don Miguel. Mr. Canning had eloquently said, 'That where the British flag waves foreign dominion shall not come:' he (Lord John Russell) would have added, to have rendered the position more secure, 'Where British influence rests, perfidy, treachery, and disloyalty shall not be allowed to prosper.' That would, he confessed, have been his decision, and the British Ambassador, supported by British troops, would have controlled and baffled the intrigues and knavery of the profligates of Don Miguel's Court. By his remonstrances he would have prevented him from proceeding step by step towards the destruction of the Constitution which he had sworn to defend. The first step of the tyrant plainly evinced what were his intentions; he

began by displacing some of the governors of the provinces, and by removing particular colonels from regiments, and substituting in their places creatures of his own. Two regiments became, however, exasperated, and refused to submit to this change. Now there was a remarkable anecdote which he could mention, as connected with the treacherous movements of Don Miguel. When thus his views became apparent, some Portuguese officers of rank determined at once to seize him by stratagem, and transport him to his brother in Brazil. They had completed their arrangements, and the execution of the plot was to have been effected without bloodshed: it was thought advisable, however, to impart a knowledge of it to the British Commandant, the consequence of which was the assurance that the project would, if attempted, be immediately resisted by the English troops, who were bound to protect the persons of the Royal Family of Portugal. Thus was British interposition rendered useless for the protection of the Constitution, but sufficiently effective to maintain Don Miguel until he had completed its overthrow. But here he would call the attention of the House to a book lately published in Paris, which professed to give, in the Appendix, important official communications alleged to have passed during these transactions between the Marquis of Palmella and the Earl Dudley; and between the Marquis of Barbacena and the Earl of Aberdeen. This book was a sort of manifesto in favour of the rights of Donna Maria, and explanatory of her situation. The Ministers were not to imagine that because they chose to withhold information, and to garble documents, doling out miserable portions of them as it suited their purpose, that the representatives of other Powers, who were seriously involved in these negotiations, would likewise refrain from publishing more full and fair details. In this book it would be seen that in a correspondence be-

tween the Marquis of Barbacena and the Earl of Aberdeen some discussion arose about a proposition which was supposed to have been carried to Brazil from the British Government, the object of which was to induce Don Pedro to consent to the marriage of his daughter with Don Miguel, and then to recognise him as the legitimate possessor of the Portuguese Throne. In referring to this correspondence he could not help remarking how strange it appeared that in the case of Don Miguel, who had perfidiously violated all his oaths, who had offered a grave affront both to the dignity of the Crown of his British Majesty and likewise to the nation, the first step taken by a Minister of that Sovereign and people should be, not to oppose or disavow the traitor, but send a mission to a distant country to endeavour to carry into effect all the wishes, views, and designs of this false individual. According to this mission, the crown of Portugal was to be placed on the head of Don Miguel, the only accompanying provision being that he should marry Donna Maria, and have thus placed in his hands the person of the only individual who could be successfully opposed to him as a legitimate rival. It would seem from this correspondence that there were five propositions submitted by the Earl of Aberdeen to the Marquis of Barbacena, but the Earl of Aberdeen in his reply intimates that they were merely suggestions. The Marquis rejoins that he was glad of it, and begs that, to prevent future mistakes, they may be submitted to him in writing. The five propositions were, 1st, that the Queen should immediately marry Don Miguel, he holding the title of King; 2nd, that a family compact should be concluded under the mediation of the Emperor of Austria; 3rd, that in case of the Queen's death the crown should pass to the Portuguese branch of the royal family; 4th, that in case the King should die, the Queen should reign; 5th, that no notice should be taken of the changes in the

Government. Lord Aberdeen then stated, 'That it is indispensable for her most faithful Majesty the Queen Donna Maria to continue her journey to Vienna, as at first intended by her father.' Why this should have been held indispensable he confessed himself at a loss to comprehend; unless perhaps Ministers thought that, because Don Miguel had taken a journey to Vienna, and had come from thence to take his seat upon the throne of Lisbon, and afterwards succeeded in his usurpation, the young Queen might from the same jaunt have equal luck in ejecting the intruder: or whether it was that, as the air of Vienna had impregnated Don Miguel with good sound principles of loyalty, there was an equal chance of the same success with the young Princess, and thereby some security that she would be weaned from any violent propensity towards new opinions. Which, or whether either, of these causes had influenced the British Ministers, he could not say, but it was due to Lord Aberdeen to add, that with the proposed recognition of the sovereignty of Don Miguel was to be a recommendation of a political amnesty, as an essential preliminary to the pacification of Portugal. Now, it was singular enough that the visit of the young Queen to Vienna was to be an indispensable requisition, while the amnesty was to be a mere recommendation. The utter hopelessness, however, of any amnesty which could flow from a source so foul as the Prince, to use the words of the Secretary of State, of 'a false, perfidious, cruel, and cowardly Prince,' must be apparent unless it were supported by something more than a recommendation, and made as indispensable as the young Queen's going to Vienna. He must state his admiration of the answers of the Marquis of Barbacena, who, when required to surrender his master's daughter into the hands of Don Miguel, said he would concur in any measures calculated to place Donna Maria on the

throne of Portugal; but that the principles of good faith and of paternal tenderness which marked the character of the Emperor Don Pedro would never permit him to marry his daughter to the usurper of her crown—a sentiment in which, the Marquis said, he was sure his Britannic Majesty would participate: which, however, the sequel proved that the King's Ministers did not adopt; and in this he rejoiced they had been defeated. He rejoiced that, among the other vicissitudes which had befallen the young Queen, she had not been consigned to the palace of the usurper; that she had escaped the last calamity of being the companion of his bed,—

Nec victoris heri tetigit captiva cubile.

He rejoiced at that escape, he rejoiced that Miguel had not another crime to answer for in his conduct to his niece; and if she had not this additional suffering, he had not to answer for that other crime. Her escape, however, was not to be attributed to any sense of honour, good feeling, or policy displayed by the Members of his Majesty's Government. In referring to all these transactions he was compelled to say that they tended to lower the high tone and liberal policy of this country, to suit the feebler policy of arbitrary States, and to weaken and disfavour the growth of popular rights. He thought that other Powers of Europe, instead of withholding approbation from the conduct of the unfortunate Portuguese,—who had been driven from their country, and had not found a very hospitable shelter amongst us,—would wish them success, and give them support; for theirs was the cause of loyalty, of freedom, and of justice.

UNIVERSAL SUFFRAGE.

May 28, 1830.

LORD JOHN RUSSELL spoke as follows:—I cannot but feel, Sir, considerable embarrassment in rising to address the House on this occasion, because it is impossible to avoid observing that the Motion of the hon. and learned Member for Clare has placed me in a difficult and very delicate situation. Since the time when I brought forward a Motion for General Reform, and when, in my opinion, all the arguments in favour of that proposition had been exhausted—and exhausted unsuccessfully—the subject had been permitted to rest in silence, until a noble Lord, in the early part of this Session, introduced a Motion for Radical Reform. The hon. and learned Member for Clare has now moved a Resolution containing three main features. The first is that of Triennial Parliaments; the second, Universal Suffrage; and the third, Vote by Ballot—from all of which, I beg leave to say, I most decidedly dissent. In consequence of this I am placed in a very difficult situation; for either I must vote for what I do not like in the hon. Member's plan of Reform, or I must join with those who oppose all Reform whatever. In these circumstances, I must be allowed to return to the plan and the propositions which in former times I have myself brought forward. I must be permitted to recur to the principles I then advanced, and by proceeding thus I shall be enabled to give a negative to the Motion of the hon. and learned Member, and afterwards propose a measure which I think to be founded on better and more constitutional principles. I agree with the hon. Member that it is very disagreeable for reformers to come into collision, and if he had confined himself to the first part of his proposition, though I do not approve entirely of

Triennial Parliaments, and believe that Parliaments elected for five years would be preferable to them under our present system, yet I do not think that I should be led to oppose him on that point alone. But universal suffrage and vote by ballot are measures that, in my opinion, are incompatible with the Constitution of this country. I do not deny that there has been and may be a free and well-regulated Government founded on such a plan of representation. I do not deny that the Commonwealth of America is a well-constituted Government, but considering our system—considering our Monarchy and our House of Lords, and remembering the state of property in this country, I do not think that the exercise of universal suffrage could end otherwise than in a collision that would produce either a Commonwealth on the one hand, or an absolute Monarchy on the other. Mr. Fox, however violent he might be in opposition to, or in pursuit of a particular measure, yet preserved a high degree of moderation in the most stormy times. When Mr. Fox was speaking of the doctrines of equality, so much in fashion at the time of the French Revolution, he said, 'I too, Sir, am for equality. I think that men are entitled to equal rights, but to equal rights to unequal things.' To that observation, Sir, I adhere. I think that if universal suffrage were introduced, equal rights to unequal things could not in the long-run be maintained. The hon. and learned Member for Clare has truly said that this is a time of tranquillity, and that it is, therefore, the best time for introducing the discussion of this subject. I agree with him as to the fact, and I submit to him whether that tranquillity is not in a great measure owing to the circumstance that this doctrine of universal suffrage has been kept for several years out of the sight of the people—that, latterly, there have been found no popular leaders to recommend it, and that, consequently, safe and practical

reform has been for years preferred by the mass of the people to more violent and sweeping measures. The first thing on which I found my plan for Parliamentary Reform is, that there has been of late a vast increase of property for which we cannot find in the Constitution of this House any adequate representation. This principle I have stated on former occasions, and I have gone so fully into the proof of the increasing wealth and intelligence, the means of information, and the capacity to form a right judgment, that I shall not go farther into any of these topics now. I shall, therefore, at once proceed to read the resolution I mean to propose if the hon. Member's Motion should be negatived. It is one which I have before submitted to a Committee of this House. The resolution declares, 'That it is expedient to extend the basis of the representation of the people in this House.' The next resolution is relative to the manner in which that basis is to be extended. I say, in the first place, that there are many large manufacturing and commercial towns which have no representatives in the House. That is the first and most grave defect in the present system of representation. We feel it every day in the business of this House. We are really in want of representatives of the extensive interests connected with our woollen, iron, cloth, and silk trades, and with our shipping business. I will read a list of the towns which in the former Bill I proposed should be entitled to send Members to this House. I do not say that all the towns the names of which I am about to read should now at once be entitled to send Members, but I think that within some limited period that privilege should be conferred on them. The towns are Macclesfield, Stockport, Whitehaven, Sunderland, Cheltenham, Brighton, Bury, Bolton, Wolverhampton, Birmingham, Dudley, Leeds, Wakefield, Sheffield, and North and South Shields. Five of these towns are the seats of the woollen

and silk trade; three are engaged most extensively in the woollen trade, four in the iron trade, two of them, Cheltenham and Brighton, are towns with a large population, and, in my opinion, ought to send representatives to Parliament. I will add, that when giving representatives to the large towns, we should not omit giving two representatives also to Edinburgh, Glasgow, and Belfast. Many of our larger counties are insufficiently represented, and to them also I would give additional Members. In those counties that have already two representatives it would be inconvenient to add to their number. The present system, so far as it concerns them, works well, and I would not disturb their arrangement; but where the counties are very large I should propose to divide them into two districts, of north and south, or east and west, and to allow two Members for each. The second resolution I should propose to the House, in pursuance of the principles I have stated, declares, 'That it is expedient that Members should be sent to Parliament by the large manufacturing towns, and that additional Members should be given to counties of great extent, wealth, and population.' I will now proceed to state the manner in which I propose to execute the purpose of that resolution:—The additional Members I have proposed would make a large addition to the numbers in this House. In order to get rid of the objection to that addition, I should propose that many of the Cornwall Boroughs should only send one representative, instead of two, to Parliament; and that every borough with less than 2,500 inhabitants should send only one Member. I trust that will not be considered a grievance, particularly after the resolution I shall propose relative to this subject. The third resolution states, 'That, in order to attain the object of the foregoing resolution without inconvenience, it is expedient that the number of the smaller boroughs returning

members shall not exceed sixty; and that boroughs with a population of only 2,500 shall not send more than one Member to Parliament.' This brings me to my last proposition. It would, no doubt, be matter of consideration with this House whether, having deprived these boroughs of one Member, it would be fit to give them compensation. I think it would not be a hardship to deprive them of this right, when it is considered that it is a trust for the benefit of the people; but it ought to be remembered, that it is at the same time a privilege conferred upon the electors. In the Act giving the borough of Wenlock the right of electing Members, it is called a privilege; in the Act giving it to the county of Durham it is called so likewise. As long, therefore, as they are not convicted of any offence which ought to deprive them of their franchise, it would be a better and more convenient way to grant them compensation. That was the measure adopted towards Ireland, and that measure forms a precedent for this mode of conduct. The fourth resolution is, 'That it is expedient to grant compensation to boroughs which lose their right of returning two Members, the said compensation to be afforded by means of a fixed sum to be applied to that purpose by annual grants for several years.' I have now done with the statement of what I mean to propose; but I cannot avoid taking notice of a general argument, which on these occasions is always introduced—that this House, as now constituted, practically serves the purposes of its constitution, that it balances the power of the House of Lords, that it controls the Crown, and that we ought not, therefore, to ask for any further improvement in it. Every year that I sit in this House convinces me more and more that that argument is not founded in truth. I think I have before proved, in a manner that cannot be answered, that in all the great divisions in this House, on questions when we

are voting away the public money, of those Members who are most entitled to be ranked among the number of the true representatives of the people—I mean the Members for the counties and large towns—the numbers are two to one in favour of reduction of the public burthens; while the large majority of those who always vote in favour of the Estimates is formed of Members for boroughs. We are told this year, as a sort of consolation for the present state of things, that we are better than our ancestors of the times of George I. and George II. In the Parliaments of the former it is stated that there were 270 placemen; and in the first Parliament of George II. it is stated that 257 placemen had seats in this House. Sir, I have had the curiosity to look at their proceedings, to see if their votes bore out what might be expected from such a formation of the House; whether I could find that constant majority of 250 voting in favour of every item of expenditure, and in opposition to every proposition for Reform. The result is not at all what I might have expected. In 1717 the proposition of the Minister for the number of land forces was 16,000 men. That proposition, so far from being treated as a moderate establishment, was opposed by a very large party in this House: and on the motion to reduce the number, the reduction was supported by 125 votes, the original estimate by only 175. The ministerial majority was not therefore very considerable. Two other resolutions were then recommended as a consequence of the former. A sum of 681,000*l.* was proposed for the army. The Opposition moved to reduce it to 620,000*l.*, and on the original question being put, the ayes were only 172, while the noes were as high as 158. I do not say that such a proposition was either just or generous; but such was in fact the conduct of that corrupt and place-holding Parliament. Our conduct is so different from that, in the present days of purity,

that we never think of making such a proposition. Indeed, so far are we from imitating such conduct, that when an hon. Member proposed that general military officers should not at the same time receive their military pay and hold civil offices, the hon. Member for Westminster, whom none will accuse of favouring corruption, said that not only the general officers ought not thus to be reduced, but that inferior officers ought also to be allowed to receive pay for civil services. At the period to which I am now alluding, 130,000*l.* was proposed as the vote for the half pay; the proposition was opposed, and the Minister offered to reduce it to 115,000*l.*, but his offer was not accepted, and it was moved to reduce it to 94,000*l.* In this year, when we are so much improved, the vote for the full pay of retired officers was 104,000*l.*, and for the half-pay of retired officers 720,000*l.* There is, I must say, considerable difference in the burthens of the people, and it is true there is also a considerable difference in their ability to bear them; but it certainly was better for the people to live under a corrupt Parliament, with small burthens, than under this pure Parliament, which breaks their backs with its weight of taxation. At that period too, the House passed a resolution, that all the vacancies in the establishments should be filled up by officers taken from the half-pay list; but a similar motion made a short time since by the hon. Member for Aberdeen was unsuccessful. I do not know how to vote for the Motion of the hon. and learned Member; and yet I must say that I wish success to its object, for the Parliament of this day is not so steady a guardian of the public purse as it is the fashion to represent it. It may be said, perhaps, that the times to which I have referred were times of great opposition; but I can support my argument by going into the corrupt times of Sir R. Walpole. In the first Parliament of George II. everything is said to have been most corrupt. In the

year 1730 we shall see the course that Parliament adopted. The army then cost 651,000*l.*, and the forces for our colonies and plantations 160,000*l.*; and let it not be supposed, Sir, that at the time we had no colonies: New York, Carolina, Bermuda, and Jamaica were then in our possession, and required vigilant guardianship to preserve them. So far from that sum being now sufficient to defend our colonial possessions, it is little more than sufficient to keep the Ionian Islands, which can hardly be connected with any agreeable recollections in the minds of the people of this country. The army now costs us 7,300,000*l.* a year. In 1729, the whole supply for the defensive establishment, voted when we had subsidies to pay to foreign Powers, was 3,600,000*l.*; in 1829, when we were under less disadvantages, the supply voted for the same purpose was 17,620,000*l.* I think, Sir, I have shown pretty well that, much as we boast of the times in which we live, yet, as faithful guardians of the public purse, we are not entitled to all the praise we so abundantly claim for ourselves. It has been contended that in those days the influence of Government was far greater than it is at present; but this was so much the reverse, that on a favourite measure of the then Opposition,—a measure to disable those from sitting in Parliament who had any pensions or offices held in trust for them,—the Minister was defeated by a majority of seventy-four to sixty-four; and even the most reasonable propositions then brought forward by Ministers were defeated. I ask, then, what became of the 270 placemen who supported the Government? I will not go farther with the votes of the House for the last few years. I have done it on former occasions; it is now unnecessary—for I will not rest my cause on anything but the declarations of the noble Duke at the head of affairs, and the right hon. Secretary. They have told us that the estimates have been reduced by two

millions. Why is it that this sum of two millions has not been saved to the country until it pleased the Duke of Wellington and the right hon. Secretary to reduce it? Sir, I say that if the House of Commons had done its duty it would not have waited until his Grace came into office, but would, of its own authority, have revised the Estimates, and compelled the Ministers, by refusing the supplies, to reduce the sum more than two millions. And now, Sir, on what do I rest my hopes of reduction and Reform?—on this House? No; but on his Majesty's Ministers, and on the effect of public opinion out of doors, which, somehow or other, has greater influence on them than even majorities in this House. Sir, I have now nearly finished what is to me an extremely disagreeable task. My present position I consider an unfortunate one. I think I am pledged to do what I am now doing, from the part I formerly took on this measure. I know my propositions make me liable to be accused, on the one hand of rashness and desire of innovation, and of hesitation and change of opinion on the other. I know I stand in the situation of a butt for attack upon both sides—attacks from those who wish to push Reform farther than I wish, and from those who do not wish for Reform at all. But, Sir, the object of my proposition is to improve the representation without doing injury to the Constitution. I wish to preserve the fundamentals of the Constitution, while I give to every individual his just rights. I consider my propositions are calculated to produce this effect, and whatever imputations may be cast upon me by the anti-reformers in this House, or by the violent reformers out of this House, I shall submit them as soon as the Motion of the hon. and learned Gentleman has been disposed of—a Motion which, I am bound to say, he brought forward with great temper and ability. But as I believe his views to be erroneous, and as I think his propositions injurious,

I cannot adopt them, and know no course I could pursue except that upon which I have decided.

SUPPLY: VARIOUS PLACES.

December 13, 1830.

Lord John Russell said it was a gross error to suppose that the diplomatic expenditure of England exceeded that of other countries. He did not, however, mean to state that the salary alluded to should not be reduced; but the question required consideration. He declared that although he had not recorded any vote upon the subject, in his opinion the keeping up the office of Lord Lieutenant of Ireland was not consistent with a just economy. But it did not follow that because he entertained this opinion he should approve of the removal of this officer in the present state of Ireland. It did not follow that Government, even if entertaining similar sentiments, was to say: 'We will maintain our consistency—we will brave the danger—we will charge the Secretary for the Home Department with the burthen of Irish affairs, notwithstanding the abundant occupation he receives from the present state of England—we will take our chance for all the mischief which may arise from the removal of the Lord Lieutenant, rather than sacrifice one iota of our consistency.' For his part he considered it would be much the better course to appoint a Lord Lieutenant for the present, looking forward to a time when, tranquillity being restored and confidence re-established in Ireland, they might safely and securely dispense with that part of the establishment. He admitted that in the last Administration there was more economy and less corruption than in any which preceded it; it was far, however, from understanding the temper

and necessities of the present times. Of the corruptions of Governments which had preceded the present they had damning proofs upon the table. There were names in the pension list which ought to make those who bore them blush, and which had raised to the utmost the indignation of the people. There were sinecures created, not by the Duke of Wellington, but by those who had preceded him, which made it impossible not to see, either that the Government must reduce them in answer to the cry of the people, or else expose the faith of the country to stain. In conclusion, he observed that the mad resistance of the late Administration to Reform would not, had they continued in office, have defeated that measure, but would undoubtedly have involved the monarchy and the aristocracy in one common ruin.

MINISTERIAL PLAN OF PARLIAMENTARY REFORM.

Tuesday, March 1, 1831.

LORD JOHN RUSSELL then rose and spoke to the following effect:—

Mr. Speaker,—I rise, Sir, with feelings of deep anxiety and interest, to bring forward a question, which, unparalleled as it is in importance, is likewise unparalleled in difficulty, without my apprehension in the least degree being removed by the reflection that I have on former occasions brought this question before the consideration of the House; for if, on the other occasions, I have called the attention of the House of Commons to this subject, it has been upon my own responsibility—unaided by anyone—involving no one in the failure of the attempt, though often completely gratified by partial success. But, Sir, the measure I have now to bring forward is a measure, not of mine, but of the Government, in whose name I

appear — the deliberate measure of a whole Cabinet, unanimous upon this subject, and resolved to place their measure before this House, in redemption of their pledge to their Sovereign, to the Parliament, and to their country. It is, therefore, with great anxiety that I venture to explain their intentions to the House upon a subject, the interest of which is shown by the crowded audience assembled here, but still more by the deep interest that is felt by millions out of this House, who look with anxiety —who look with hope—who look with expectation, to the result of this day's deliberations. Sir, I am sure it is not necessary that I should say any more, to do away a notion which an hon. and learned Member opposite endeavoured to spread—that this question, not being brought forward by a Member of the Cabinet, is not a measure of the King's Ministers. I am sure that even he must be convinced that what I am going to propose emanates from the Government. But although I cannot pretend to be the author of this measure, neither can I say that I have been kept in ignorance of its nature. The measure itself—after the noble Lord who is at the head of his Majesty's Government had formed it in his own mind, and communicated it to his colleagues—was communicated to me; and I have ever since been consulting, either individually or collectively, with the Members of the Cabinet on the subject. Sir, I regret that the noble Lord at the head of his Majesty's Government cannot, by the law and usage of Parliament, be permitted to explain his measure to this House, in his own clear and intelligible language; but as that is impossible, I trust that the House will favour me with its indulgence, while I endeavour to lay before it the details of this measure—I am afraid very inadequately—but with sincere and earnest wishes for its ultimate success. Sir, much cavil has been raised upon expressions of the noble Lord whom I have mentioned, that he would

endeavour to frame such a measure as might satisfy the public mind, without at the same time endangering the settled institutions of the country. 'Do you mean,' it has been asked on one hand, 'by the settled institutions of the country the close and rotten boroughs?' I think we shall show, in the course of the explanation we are about to make, that it is not the close and rotten boroughs that were intended by the settled institutions of the country. On the other hand, it is said by another party, 'Can you pretend to satisfy the public mind without endangering the settled institutions of the country? If you attempt to satisfy the public mind, you must shake the public institutions.' Sir, we are of opinion that the very reverse of this will take place; to attempt to satisfy the public mind will not endanger the settled institutions of the country; but not to satisfy that, will endanger them. We are of opinion that these institutions, resting as they ever have done on the confidence and love of Englishmen, must continue to rest on the same foundation: and while we discard the notion of complying with violent and extravagant remarks, we at the same time wish to place such a measure before the House, that every reasonable man, both in this House and in the country, may be satisfied with it. We wish to place ourselves between the two hostile parties. Neither agreeing with the bigotry of the one, that no Reform is necessary, nor agreeing with the fanaticism of the other, that only some particular kind of Reform can by any means be satisfactory to the people; we place ourselves between the two, and fix ourselves on what is, I hope, firm and steadfast ground, between the abuses we wish to amend and the convulsions we hope to avert. It will not be necessary on this occasion that I should go over the arguments which have been so often urged in favour of Parliamentary Reform; but it is due to the question that I should state

shortly the chief points of the general argument on which the reformers rest their claim. Looking at the question, then, as a question of right, the ancient Statutes of Edward I. contain the germ and vital principle of our political constitution. The 25th of Edward I., ch. 6, declares, in the name of the King, that 'for no business from henceforth we should take such manner of aids, tasks, nor prizes, but by the common assent of the realm, and for the common profit thereof, saving the ancient aids and prizes due and accustomed.' The 34th Edward I., commonly called the 'Statute de Tallagio Concedendo,' provides, 'that no tallage or aid shall be taken or levied, by us or our heirs, in our realm, without the good will and assent of Archbishops, Bishops, Earls, Barons, Knights, Burgesses, and other freemen of the land.' Although some historical doubts have been thrown upon the authenticity of this Statute, its validity in point of law is asserted in the Petition of Rights, was allowed by the Judges in the case of Hampden, and is, in fact, the foundation of the Constitution, as it has existed since the days of the Stuarts. To revert again, for a moment, to ancient times; the consent of the commonalty of the land, thus declared necessary for the grant of any aid or tax, was collected from their representatives, consisting of two Knights from each county, from each city two citizens, and from every borough two burgesses. For 250 years the constant number of boroughs so sending their representatives was about 120. Some 30 or 40 others occasionally exercised or discontinued that practice or privilege, as they rose or fell in wealth and importance. How this construction of the House of Commons underwent various changes, till the principle on which it was founded was lost sight of, I will not now detain the House by explaining. There can be no doubt, however, that at the beginning of the period I have alluded to the House of Commons did represent

the people of England. No man of common sense pretends that this Assembly now represents the commonalty or people of England. If it be a question of right, therefore, right is in favour of Reform.

Let us now look at the question as one of reason. Allow me to imagine for a moment a stranger from some distant country, who should arrive in England to examine our institutions. All the information he had collected would have told him that this country was singular for the degree which it had attained in wealth, in science, and in civilization. He would have learned that in no country have the arts of life been carried farther, nowhere the inventions of mechanical skill been rendered more conducive to the comfort and prosperity of mankind. He would have made himself acquainted with its fame in history, and, above all, he would have been told that the proudest boast of this celebrated country was its political freedom. If, in addition to this, he had heard that once in six years this country, so wise, so renowned, so free, chose its representatives to sit in the great Council, where all the Ministerial affairs were discussed and determined, he would not be a little curious to see the process by which so important and solemn an operation was effected. What then would be his surprise, if he were taken by his guide, whom he had asked to conduct him to one of the places of election, to a green mound, and told that this green mound sent two Members to Parliament—or to be taken to a stone wall, with three niches in it, and told that these three niches sent two Members to Parliament—or, if he were shown a green park, with many signs of flourishing vegetable life, but none of human habitation, and told that this green park sent two Members to Parliament? But his surprise would increase to astonishment if he were carried into the North of England, where he would see large flourishing towns, full of trade and activity, containing

vast magazines of wealth and manufactures, and were told that these places had no representatives in the Assembly which was said to represent the people. Suppose him, after all, for I will not disguise any part of the case, suppose him to ask for a specimen of popular election, and to be carried for that purpose to Liverpool; his surprise would be turned into disgust at the gross venality and corruption which he would find to pervade the electors. After seeing all this, would he not wonder that a nation which had made such progress in every kind of knowledge, and which valued itself for its freedom, should permit so absurd and defective a system of representation any longer to prevail? But whenever arguments of this kind have been urged, it has been replied, and Mr. Canning placed his opposition to Reform on this ground, 'We agree, that the House of Commons is not, in fact, sent here by the people—we agree that, in point of reason, the system by which it is sent is full of anomaly and absurdity—but Government is a matter of experience, and so long as the people are satisfied with the actual working of the House of Commons, it would be unwise to embark in theoretical change.' Of this argument I confess I always felt the weight, and so long as the people did not answer the appeals of the friends of Reform, it was indeed an argument not to be resisted. But what is the case at this moment? The whole people call loudly for Reform. That confidence, whatever it was, which formerly existed in the constitution of this House, exists no longer—it is completely at an end. Whatever may be thought of the particular acts of the House of Commons, I repeat that the confidence of the country in the construction and constitution of the House of Commons is gone—and gone for ever. I would say more. I affirm that it would be easier to transfer the flourishing manufactories of Leeds and Manchester to Gatton and Old Sarum,

than to re-establish the confidence and sympathy between this House and those whom it calls its constituents. I end this argument, therefore, by saying, that if the question be one of right, right is in favour of Reform—if it be a question of reason, reason is in favour of Reform—if it be a question of policy and expediency, policy and expediency speak loudly for Reform.

"I come now to the most difficult part of this subject—the explanation of the measure which, representing the King's Ministers, I am about to propose to the House. Those Ministers have thought, and in my opinion justly, that it would not be sufficient to bring forward a measure which should merely lop off some disgusting excrescences, or cure some notorious defects, but would still leave the battle to be fought again with renewed and strengthened discontent. They have thought that no half measures would be sufficient—that no trifling, no paltering with so great a question could give stability to the Throne, authority to the Parliament, or satisfaction to the country. Let us look then at what have been the chief grievances in the representation of which the people have complained. And here let me observe, that there is great difference between the complaint of a grievance and the suggestion of a remedy. On matter of grievance we ought to regard with deference the expressed opinions of the people; but in suggesting remedies, those who are called to the business of legislation should follow the deliberate result of their own judgment. But not to digress any farther.

The chief grievances of which the people complain are these:—First, the nomination of Members by individuals. Second, the elections by close corporations. Third, the expense of elections. With regard to the first—the nomination by individuals—it may be exercised in one of two ways; either over a place containing scarcely any

inhabitants, and with a very extensive right of election, or over a place of wide extent and numerous population, but where the franchise is confined to very few residents. Gatton is an example of the first, and Bath of the second. At Gatton the right is popular, but there is nobody to exercise it; at Bath the inhabitants are numerous, but very few of them have any concern in the result of an election. We have addressed ourselves to both these evils, because we have thought it essential to apply a remedy to both; but they must, of course, be dealt with in different ways. With regard to boroughs where there are scarcely any inhabitants, and where the elective franchise is such as to enable many individuals to give their voices in the choice of Members for this House, it would be evidently a mere farce to take away the right from the person exercising it, and to give it to the borough; and the only Reform that can justly be recommended is to deprive the borough of its franchise altogether. I am perfectly aware that in making this proposition we are proposing a bold and decisive measure. I am perfectly aware, and I should myself vote upon that persuasion, that on all ordinary occasions rights of this kind ought to be respected, and it would be no small interest, no trifling consideration, which would justify the invasion of them. I well recollect, however, the language which a right hon. Gentleman opposite (Sir R. Peel) held on the occasion of his proposing a great change with regard to the elective franchise in another part of the Empire—language which, in my humble opinion, well expressed the nature of the right in question, and the character of the circumstances which would justify the Legislature in touching it. It is now, Sir, two years since the right hon. Baronet opposite (Sir Robert Peel), standing there as a Minister of the Crown, proposed the measure known by the name of Catholic Emancipation, accompanied by another measure for the disfranchisement of

200,000 freeholders, unoffending men, who had broken no law, who had violated no right, who had exercised their privilege, perhaps ignorantly, certainly independently and impatiently, in a manner which they in their consciences believed to be best. Now, Sir, if I quote the right hon. Gentleman's words, it is not because I think he is bound to be consistent, for on questions of this kind every man ought to act according to his judgment, for the benefit of his country. But I beg the House to recollect that the right hon. Baronet then stood here as the servant of the Crown, representing the Ministers who have gone out of office, and did then, in their name, state the circumstances that influenced them upon that great and important measure. Upon that great occasion he reminded the House that it was bound to step on some occasions beyond its ordinary rules; and he instanced the cases of the Union and Septennial Acts, and other measures, when this House, in order to provide for the exigencies of the country, had departed from the common rules and modes that usually regulated its proceedings. The right hon. Baronet, after showing that the House had frequently adopted extraordinary methods to avoid pressing dangers, proposed the measure, and at once met the objections to it in these words. He said, 'I admit at once the full force of the objection which will be urged against that part of the measure I propose, by which the existing right of voting is taken away from the freeholder. No doubt it is a vested right, but it is a right that differs in its character from the rights of property and other strictly private rights. It is a public trust, given for public purposes, to be touched, no doubt, with great caution and reluctance; but still which we are competent to touch if the public interest manifestly demands the sacrifice.' Sir, such were the sentiments of the right hon. Baronet, sentiments with which the House agreed; for I never knew any

measure carried through this House with greater support than that measure of disfranchisement.

But, Sir, shall we say that we are bound to have one principle when the peasantry of Ireland are concerned, and another when the rich and noble are interested, and that we must consider the latter as sacred, and not venture to touch their privileges when the public interest requires it? Shall we say that the freeholders of Ireland, merely exercising a right which the Constitution gives, may be deprived of that right, and that we must not venture to touch the privilege of the noble Lord who returns two representatives to this House for Gatton, though the Constitution says such a privilege ought not to exist? Shall we say that that which is justly, constitutionally, and legally a right, shall be done away—that it may be swept away when the convenience of the country demands it—and that a privilege which is a mere usurpation, which has no sanction from the law, and which is only supported by long usage, shall be held sacred, when the public interests require, and the public voice demands, its abolition? Are we to make this glaring distinction between the rich and the poor—between the peer and the peasant? are we to disfranchise the forty-shilling freeholder, and must we not touch the borough which is claimed as the property of some noble Lord? The plan we propose is, therefore, to meet the difficulty in front—as the Duke of Wellington and his colleagues met it in the year 1829; and our measure will have the effect of disfranchising a number of boroughs, as that measure disfranchised a number of voters. It would be a task of extreme difficulty to ascertain the exact proportion of the wealth, trade, extent, and population of a given number of places, and we have, therefore, been governed by what is manifestly a public record—I mean the population returns of 1821, and we propose that every borough which in that year had less than 2,000 inhabitants

shall altogether lose the right of sending Members to Parliament. The effect will be utterly to disfranchise sixty boroughs.

But we do not stop here. As the hon. Member for Boroughbridge (Sir C. Wetherell) would say, we go *plus ultra*. We find that there are forty-seven boroughs of only 4,000 inhabitants, and these we shall deprive of the right of sending more than one Member to Parliament. We likewise intend that Weymouth, which at present sends four Members, shall in future only elect two. The abolition of sixty boroughs will occasion 119 vacancies, to which are to be added forty-seven for the boroughs allowed to send only one Member, and two of which Weymouth will be deprived, making in the whole 168 vacancies. Such is the extent to which Ministers propose to go in the way of disfranchisement.

But, as I have already said, we do not mean to allow that the remaining boroughs should be in the hands of select corporations—that is to say, in the possession of a small number of persons, to the exclusion of the great body of the inhabitants, who have property and interest in the place represented. It has been a point of great difficulty to decide to whom the franchise should be extended. Although it is a much disputed question, yet I believe it will be found that in ancient times every freeman, being an inhabitant householder resident in a borough, was competent to vote for Members of Parliament. As, however, this arrangement excluded villeins and strangers, the franchise always belonged to a particular body in every town—a body undoubtedly possessed of property, for they bore the charges of their Members, and on them were assessed the subsidies and taxes voted by Parliament. But when villenage ceased, various and opposite courses seem to have been pursued in different boroughs. In some, extending the liberal principle that

all freemen were to be admitted, householders of all kinds, down to the lowest degree, and even sometimes beyond, were admitted. In others, adopting the exclusive principle that strangers and villeins were no part of the burgesses, no new corporations were erected, and the elective franchise was more or less confined to a select body. These differences, the House will be aware, have led to those complicated questions of right which we are every week called upon to decide; and I think no one will deny that our Election Committees often have brought before them, and are obliged to settle, questions that are at once the most vexatious, the most difficult, and the most useless. Originally these points were decided in this House by the prevalence of one party or of another; they are now determined more fairly, but still the determinations are all founded upon the original iniquity of some party conflict. I contend that it is important to get rid of these complicated rights, of these vexatious questions, and to give to the real property and to the real respectability of the different cities and towns the right of voting for Members of Parliament. The first distinction that naturally occurred to us as forming a proper class of voters was that pointed out by the Bill of the right hon. Baronet opposite (Sir Robert Peel), of persons qualified to serve on juries. But, upon looking into this qualification, we found that in Edinburgh, Liverpool, Manchester, and other important places, although it certainly would give an extended constituency, it would still be too limited for the number of the inhabitants; while, in small boroughs, it would have the evil of confining the elective franchise to a very few persons indeed. According to the returns from the Tax Office, which I admit are not entirely to be depended upon, ten, seven, three, and even one, would be the number of persons in some towns rated for a house of 20*l.* a year. Therefore we saw, if we took this qualifica-

tion, we should be creating new close boroughs, and confining the elective franchise instead of enlarging it; we therefore propose that the right of voting shall be given to householders paying rates for, or occupying a house of, the yearly value of 10*l.* and upwards. Whether he be the proprietor, or whether he only rent the house, the person rated will have the franchise upon certain conditions hereafter to be named. At the same time, it is not intended to deprive the present electors of their privilege to vote, provided they be resident. With regard to non-residence, we are of opinion that it produces much expense, that it is the cause of a great deal of bribery, and that it occasions such manifold and manifest evils that electors who do not live in a place ought not to be permitted to retain their votes. At the same time, I do not believe that we are inflicting even upon this class any injury, for nearly all, either in one place or in another, will possess a franchise as belonging to the great mass of householders. With regard to resident voters, we propose that they shall retain their right during life, but that no vote shall be allowed hereafter, excepting on the condition I have before stated, that the person claiming the right must occupy a house of the value of 10*l.* a year.

I shall now proceed to the manner in which we propose to extend the franchise in counties. The Bill I wish to introduce will give all copyholders to the value of 10*l.* a year qualified under the right hon. Gentleman's Bill to serve on juries, and all leaseholders for not less than twenty-one years, whose leases have not been renewed within two years, a right to vote for the return of Knights of the Shire. [Sir Robert Peel asked, across the table, the amount of rent which was necessary?] The right will depend upon a lease of twenty-one years, where the annual rent is not less than 50*l.*

It will be recollected that, when speaking of the numbers

disfranchised, I said that 168 vacancies would be created. We are of opinion that it would not be wise or expedient to fill up the whole number of those vacancies. After mature deliberation, we have arrived at the conclusion that the number of Members at present in the House is inconveniently large. I believe there was no hon. Gentleman who was a Member of the House before the Union with Ireland who will not agree that the facility of getting through business has since been greatly diminished. Besides, it is to be considered that when this Parliament is reformed, as it will be I trust before long, there will not be so many Members who enter Parliament merely for the sake of the name, and as a matter of style and fashion. It is not to be disputed that some Members spend their time in foreign countries, and never attend this House at all, to a certain degree to the inconvenience of those who do attend to their duties. Several, for two or three years together, have never attended in their places; and, at the end of a Parliament, I believe there is generally found an instance or two of individuals who, having been elected, have never appeared at the table, even to take the oaths. But it is obvious that whenever a Member has a certain number of constituents watching his actions, and looking to his votes, in order that the people's money be not given for purposes inconsistent with the people's interests, his attendance will be much more regular. Therefore, when we propose a great change, by cutting off a number of Members, the effect will be to facilitate public business, to the manifest advantage of the country. We propose, however, to fill up a certain number of the vacancies, but not the whole of them. We intend that seven large towns shall send two Members each, and that twenty other towns shall send one Member each. The seven towns which are to send two Members each are the following:—

Manchester and Salford
Birmingham and Aston
Leeds
Sheffield
Greenwich, Deptford, and Woolwich
Wolverhamptom, Bilston, and Sedgeley
Sunderland and the Wearmouths.

The following are the names of the towns, each of which, it is proposed, shall send one Member to Parliament:—

Brighton
Blackburne
Macclesfield
South Shields and Westoe
Warrington
Huddersfield
Halifax
Gateshead
Whitehaven, Workington, Harrington
Kendal
Bolton
Stockport
Dudley
Tynemouth and North Shields
Cheltenham
Bradford
Frome
Wakefield
Kidderminster.
Walsall

It is well known that a great portion of the Metropolis and its neighbourhood, amounting in population to 800,000 or 900,000, is not represented, and we propose to give eight Members to the unrepresented, by dividing them into the following districts, each of which is to have two:—Tower Hamlets, 283,000 population; Holborn, 218,000; Finsbury, 162,000; Lambeth, 128,000; the two large populous parishes of Marylebone and St. Pancras which, no doubt, are entitled to be represented—at least as much entitled to it as Boroughbridge—are included in one of the districts I have named.

Next we propose an addition to the Members for the larger counties,—a species of Reform always recommended, and which, I believe, Lord Chatham was almost the first to advocate. Those counties contain a variety of interests, and form an admirable constituency; in some, as in Staffordshire, there is a large manufacturing population, better represented in this way than perhaps in any other; and as County Members have unquestionably the most excellent class of constituents, they form of themselves a most valuable class

of representatives. The Bill I shall beg leave to introduce will give two additional Members to each of twenty-seven counties, where the inhabitants exceed 150,000. Everybody will expect that Yorkshire, divided into three Ridings —the East, West, and North—should have two Members for each Riding; and the other counties to which this additional privilege will be given are the following :—

Chester	Devon
Derby	Essex
Durham	Kent
Gloucester	Lincoln
Lancaster	Salop
Norfolk	Stafford
Somerset	Sussex
Suffolk	Nottingham
Wilts	Surrey
Warwick	Northumberland
Cumberland	Leicester
Northampton	Southampton
Cornwall	Worcester

Besides this, it is proposed that the Isle of Wight shall return one Member.

I will now proceed to another part of the subject. I spoke at first of the evils connected in the minds of the people with the power of nomination by individuals, and with the power of election by a few persons in very small and close corporations. The remedies I have already detailed are pointed against these defects. I now beg leave to direct the attention of the House to that part of the plan which relates to the expense of long-protracted polls, and which, while it removes that evil, also greatly facilitates the collection of the sense of the elective body. The names of electors are to be enrolled, by which means we hope that the disputes regarding qualification will be in a great measure avoided. We propose that all electors in counties, cities, towns, or boroughs, shall be registered, and for this purpose machinery will be put in motion very similar to that of the

Jury Act: that is to say, at a certain period of the year (I now speak of boroughs) the parish officers and churchwardens are to make a list of the persons who occupy houses of the yearly value of 10*l*. This list of names will be placed on the church doors, we will suppose in September, and in the following month, October, the Returning Officer will hold a sort of trial of votes, where claims made and objections stated will be considered and decided. When this process has been gone through, the Returning Officer will declare the list complete, and on December 1 in every year the list will be published; every person who chooses may obtain a copy of it, and that list will be the rule to govern electors and elections for the ensuing year. We intend that during that ensuing year every person shall be entitled to vote whose name is in the list, and that no question shall be asked but as to his identity, and whether he has polled before at the same election. These regulations are extremely simple, and will prevent all those vexatious and noisy scenes now so often witnessed, regarding disputed votes.

The means of ascertaining who are the electors being made thus easy, there will be no reason why the poll should be kept open for eight days, or for a longer period: and it is proposed that, nearly according to the present law, booths shall be erected for the voters of the different parishes, so that the whole poll may be taken in two days. For my own part, I hope that the time may come when the machinery will be found so simple that every vote may be given in a single day; but in introducing a new measure it is necessary to allow for possible defects in the working of the machinery; attempts may be made to obstruct the polling, and we therefore recommend two days, in order that no voter may be deprived of the opportunity of offering his suffrage. As to counties, the matter may be somewhat more difficult;

we propose, however, that in the same manner, the churchwardens shall make out a list of all persons claiming the right to vote in the several parishes, and that these lists shall be affixed to the church doors. A person to be appointed (say a Barrister of a certain standing) by the Judge of Assize, shall go an annual circuit within a certain time after the lists have been published, and he shall hear all claims to vote, and decide all objections to voters. *Having* decided who are entitled to exercise the privilege, he will sign his name at the bottom of the list, and will transmit it to the Clerk of the Peace. The list will then be enrolled as the names of the freeholders of the county for the ensuing year.

With respect to the manner of proceeding at elections, we have it in view to introduce a measure which can hardly fail to be an improvement of the present system. Everybody knows, and must have lamented, the enormous expense to which candidates are put in bringing voters to the poll. An election in Yorkshire has been known to cost nearly 150,000*l.*; and in Devonshire some of the electors are obliged to travel forty miles over rough cross-roads, which occupies one day; the next is consumed in polling, and the third in returning home; the whole scheme being a manifest source of vast expense and most inconvenient delay. We propose, therefore, that the poll shall be taken in separate districts, into which the counties are to be divided, those districts to be arranged according to circumstances by the magistrates at Quarter Sessions; subject, however, to the condition that they shall not be changed for two years. The formation of those districts will give an opportunity of more readily taking the votes when an election occurs. The Sheriffs shall hold the election on a certain day, and if it should happen that a poll be demanded they shall adjourn the election to the day next but one. The poll

shall then be kept open for two days, so as to enable all the persons qualified under the several Acts of Parliament to give their votes. On the third day the poll shall be closed, and on the sixth day an account shall be published of the number of votes. It will be so arranged that no voter shall have to travel more than fifteen miles to give his vote. At the same time it is not proposed that the number of polling places in one county shall exceed fifteen, as the multiplication of places for receiving the votes would give rise to great inconvenience, and leave an opening to new abuses. We propose that each large county which is to return four Members shall be divided into two districts, returning each two Members to Parliament. In adjusting that division of the counties, there will, I have no doubt, be some difficulty. But we propose that His Majesty shall nominate a Committee of the Privy Council to determine the direction and extent of the districts into which each county shall be divided. Those Privy Councillors, I need not say, will be persons known to the House and to the country. They will be persons of known responsibility in the discharge of that duty. In some of the boroughs to which the right of representation is to be continued the number of electors is exceedingly small. We shall, therefore, insert in the Bill which we propose to submit to Parliament a clause, giving to Commissioners, nominated under that Bill, authority to enable the inhabitants of the adjoining parishes and chapelries to take part in the elections, when the number of electors in such boroughs shall be less than 300. That these are extensive powers I shall not attempt to deny; but as the difficulty exists it is our duty to consider how it may be overcome. How it is to be met his Majesty's Ministers do not know, otherwise than by committing the powers to persons known and responsible to Parliament and to the nation, and appointed by the Royal Proclama-

tion. If any hon. Gentleman should stand up in his place and say that the powers which we propose to give to the Committee of the Privy Council are too great, I will only ask him, if it be granted that the business is to be done, and that the objects for which we propose the Committee are proper and useful, can he suggest any better and more effectual mode of doing it? If any Gentleman in the House will suggest a mode more safe, more constitutional, His Majesty's Ministers will have no difficulty in adopting that mode and waiving their own, their only object being to advance the interest of the people, to which every other consideration ought to yield.

I have now only one thing more to say with regard to the representation of England. In all those new towns to which we propose to give the right of sending Members to Parliament, all persons who are in them, entitled by their property to vote, are to be excluded from the right to vote for the representatives of the county, by virtue of the same property. At the same time that the towns will have themselves a proper share in the representation, we do not intend that they shall interfere with the representation of the counties. It is not intended to interfere with the franchise of those freeholders who are at present entitled to vote. I believe I have now concluded the statement of all the alterations which are intended to be made in the representation of England. With respect to the right of the forty-shilling freeholders in the counties, I do not think that there should be any alteration; for I consider that they are a class of persons eminently qualified to have the trust of electing committed to them. By the smallness of the property which constitutes their qualification, they are especially calculated to give the representation that extended basis which it is most desirable that it should have. [An hon. Member here called on Lord John Russell to name the disfranchised boroughs.]

It is proposed to take away the right of electing Members to serve in Parliament from all towns and boroughs which do not contain 2,000 inhabitants. With respect to some of these, it was at first a question whether we should not still allow them to send each one Member; but, on consideration, we thought it better to avoid all chance of an imputation of partiality. We therefore determined to fix upon the number of 2,000 inhabitants, and thereby leave no doubt that in their disfranchisement we were not influenced by partiality, by prejudice, or by a wish to favour some in preference to others. I will now read the list of the boroughs to be disfranchised on this principle. [The noble Lord accordingly read the following list, in the course of which he was frequently interrupted by shouts of laughter, cries of 'hear, hear!' from Members for these boroughs, and various interlocutions across the table.]

Aldborough, York
Aldborough, Suffolk
Appleby
Bedwin
Beeralston
Bishop's Castle
Bletchingley
Boroughbridge
Bossiney
Brackley
Bramber
Buckingham
Callington
Camelford
Castle Rising
Corfe Castle
Dunwich
Eye
Fowey
Gatton
Haslemere
Heyden
Hoytesbury
Higham Ferrers
Hindon
Ilchester
East Looe
West Looe
Lostwithiel
Ludgershall
Malmesbury
Midhurst
Milborne Port
Minehead
Newport, Cornwall
Newton, Lancashire
Newton, I. of Wight
Okehampton
Orford
Petersfield
Plympton
Queenborough
Reigate
Romney
St. Mawes
St. Michael's, Cornwall
Saltash
Old Sarum
Seaford
Steyning

Stockbridge
Tregony
Wareham
Wendover
Weobly
Whitchurch
Winchelsea
Woodstock
Wootton Basset
Yarmouth, I. of Wight

In all there are sixty boroughs to be totally disfranchised, and I will now read the list of the boroughs which will be allowed to return one Member of Parliament each :—

Amersham
Arundel
Ashburton
Bewdley
Bodmin
Bridport
Chippenham
Clitheroe
Cockermouth
Dorchester
Downton
Droitwich
Evesham
Grimsby
East Grinstead
Guilford
Helston
Honiton
Huntingdon
Hythe
Launceston
Leominster
Liskeard
Lyme Regis
Lymington
Maldon
Marlborough
Marlow
Morpeth
Northallerton
Penryn
Richmond
Rye
St. German's
St. Ives
Sandwich
Sudbury
Shaftesbury
Tamworth
Thetford
Thirsk
Totness
Truro
Wallingford
Westbury
Wilton
Wycombe

In all forty-seven boroughs.

With regard to Wales, the only alteration I propose to make besides introducing the same right of franchise into all the boroughs there which we propose for England, consists in adding to the towns in Wales which already send Members the neighbouring unrepresented towns, so as to give them a share in the representation. It is proposed, for instance, to add Holyhead to Beaumaris; Bangor to Carnarvon; Wrexham to Denbigh;

Holywell and Mold to Flint; Llandaff and Merthyr Tydvil to Cardiff; Welch-Pool, Llanvilling, and three other places which returned Members of Parliament formerly, but which were disfranchised by a decision of the House of Commons, I believe, in the time of Sir Robert Walpole, to Montgomery; St. David's, Fishguard, and Newport, to Haverfordwest; Milford to Pembroke; Presteign to Radnor; and we further propose that a new district of boroughs should be erected, consisting of Swansea, Cowbridge, Laugharn, and three other places, which are to have the privilege of returning one Member to Parliament. These are the only additional Members which it is proposed to add to the representation of Wales.

I now come to the representation of Scotland; and if the representation of England wants reform, certainly the same thing may be said, with additional reason, as regards the representation of Scotland. If we have close boroughs in England, we have also popular elections, and popular representation in many of those boroughs; but in Scotland there is not a vestige of popular representation. Indeed, there is no such thing known in that country as a popular election; consequently, the wealth, the respectability, and the intelligence, for which the inhabitants of that country are so distinguished, are virtually unrepresented. In the counties of Scotland there are 3,253 persons, who appear on the lists as qualified to vote, but, from various causes, a number of those electors cannot vote; so that the whole number of electors, by which the county Members of Scotland are returned, does not exceed 2,340 persons. I shall not enter into the details of the manner in which the right of voting is obtained in the counties of Scotland. I shall only mention that the right is, in many instances, obtained by an authority distinct from that derived from the possession of land. Persons, in selling land, have been in the practice of retaining the superiority, which

gives them the right of voting, in their own hands. Latterly, the proprietors of land have sold the superiority, which has been purchased for corrupt purposes by persons who were altogether unconnected with the counties in which they have votes. Knowing this to be the case, I thought it necessary to procure a return, showing the proportion of the number of persons holding landed property and possessing votes in the counties in Scotland, a few extracts from which I will read to the House. I find that in Ayrshire there are 308 electors, and that 105 of those do not possess any landed property in the county. In Banff there are nineteen electors, and only two have any landed property. In Ross and Cromarty there are twenty-nine electors, and only eight of those possess landed property. And in the county of Lanark there are 224 electors, of which number ninety-eight only are landed proprietors. This is the state of the constituency in the counties of Scotland, which, I conceive, is not fair as regards the real landed proprietors. If I hear any one object to this measure, on the ground that it tends to deprive the landowner in Scotland of his fair and legitimate influence, or of any right which he now possesses, I shall refer to this return, for it presents a complete answer to any such objection, and affords decisive evidence that the franchise is not in the landowner. What I propose in the counties of Scotland is that everyone possessing what is there called the *dominium utile*, or what we should call a beneficial interest, in lands or houses, to the amount of 10*l.*, in the nature of a freehold or copyhold, shall be entitled to a vote. We propose, likewise, that leaseholders in possession, and having a written lease for a term of nineteen years, or any longer period, to the value of 50*l.*, shall be entitled to vote; provided, as the Bill provides for England, that the lease has not been renewed for two years before the election. We have fixed on nineteen years, because leases are

generally granted for that term in Scotland. All the details of the measure for England, as already described, will be applicable, with some trifling alteration, to the elections for Scotland. We propose also one or two arrangements respecting the representation of the counties in Scotland. For instance, it is intended that Selkirk shall be joined with Peebles; and that those two counties, both being very small, should only return one Member. Dumbarton and Bute, Elgin and Nairne, Ross and Cromarty, Orkney and Shetland, and Clackmannan and Kinross, with certain additions, to do the same. The remaining twenty-two counties each singly to return one Member. We also propose that Edinburgh shall have two Members, Glasgow two, and that Aberdeen, Paisley, Dundee, Greenock, and Leith (with the addition of Portobello, Musselburgh, and Fisherrow), shall each singly return one Member. We propose that the East Fife district of burghs shall no longer return any Member, but it shall be thrown into the county. The remaining thirteen districts of burghs we propose shall each return one Member, with these variations—that Kilmarnock shall take the place of Glasgow in the district of burghs to which Glasgow formerly belonged; that Peterhead shall take the place of Aberdeen; and that Falkirk shall be added to the districts of Lanark, and Linlithgow to Selkirk and Peebles. As to the right of voting in the boroughs and towns of Scotland, it will be founded on the principle of property, arising from the occupation of houses rented or rated to taxes at not less than 10*l.* per year. The manner in which we propose that the eligibility of electors shall be ascertained in Scotland is very similar to the manner proposed for England—namely, by a registry of the names. In Scotland, however, there will be advantages and facilities afforded, because there are already proper officers in that country, perfectly competent to fulfil the duties which that system will require.

With these several alterations, Scotland will have fifty Members instead of forty-five. The elections for the burghs are not to continue in the same state as at present. It is proposed that the election shall no longer remain in delegates appointed by self-elected Corporations; but all those who have a right to vote, founded, as I have stated, on the possession of a house rated at 10*l.*, are to vote in their own persons, and the number voting in the whole district will be summed up by the returning officer, who, according to the sum of the whole number of votes, will return the Members.

I now proceed to Ireland, where a Reform in the representation, though necessary, will be more simple than that proposed with respect to the representation of England and Scotland. At the time of the Union, little more than thirty years ago, the representation of Ireland was entirely remodelled, and, therefore, in that country we do not find those small and decayed boroughs sending representatives to Parliament as is the case in England. In many, however, of the boroughs in Ireland the franchise is held by only a small number of persons, who are not entitled, either by property or situation, to return the representatives. I propose that the inhabitants of those boroughs generally shall have the right of electing their representatives in the same manner as in England, although that right is to be ascertained differently. I propose that property or occupancy, to the value of 10*l.* per annum, should give every man a vote who resides in one of these boroughs. I am convinced that this arrangement will be attended with the greatest benefit to Ireland. I know that the people of that country have feared the greatest inconvenience and injury from the political rights being in the hands of a few. Not long since, I brought before the House a case arising in the borough of Wexford. The merchants of that town, it then appeared,

are entirely excluded from all political rights, and the dues they pay on goods shipped by them for the English coast, amounting to 2,000*l.* per annum, they would not have to pay if they were free of the Corporation. I am convinced, therefore, that this enlargement of the franchise in Ireland will tend to promote industry and encourage trade, and I hope the country will make such a progress before many years, that we shall hear of no other agitation in it but that caused by the bustle of increasing business and wealth. There are three towns in Ireland which have grown into great importance, and to which we propose to give an additional representative, viz. Belfast, Limerick, and Waterford, all of which at present send one Member. Ireland, therefore, will send three Members in addition to the number of 100 representatives which she now sends. Ireland as well as Scotland, therefore, obtains some advantage from the number of Members cut off, and not to be supplied from the English representation; and as regards the number of representatives, the relative importance of Ireland and Scotland is increased by this measure. In those countries, therefore, I apprehend this measure will afford great satisfaction. I now proceed to state the result of all these changes on the numbers in this House. [Mr. *Leader* asked, what was proposed as the qualification for voters in counties in Ireland?] The qualification of voters in counties in Ireland is not to be altered, except that beneficed Clergymen are to be entitled to vote as freeholders. The arrangement as to elections is to be the same as in England. The county elections must be concluded within six days from the time of their commencement, as in England, and all persons at present entitled to vote will continue to have that right. I think there is no other alteration of any importance as regards Ireland.

Having gone through the several alterations proposed in

England and Wales, in Scotland and Ireland, I now come to the result.

The number of Members now belonging to the House, is	658
The number to be disfranchised	168
Number remaining	490
Additional Members for Scotland	5
Additional Members for Ireland	3
Additional Member for Wales	1
Additional Members for the metropolis	8
New Members for large towns in England . . .	34
Additional Members for counties in England . . .	55
Total additional Members	106
Members of the House not to be disfranchised . .	490
Total	596

Making a decrease of sixty-two Members in the total number of representatives. I will now state the number of additional persons who, I suppose, will be entitled to votes for counties, towns, and boroughs under this Bill:—

	Persons
The number in towns and boroughs in England already sending Members will be increased by . .	110,000
The electors of towns (in England) sending Members for the first time I estimate at	50,000
Electors in London who will obtain the right of voting	95,000
Increase of electors in Scotland	60,000
In Ireland perhaps	40,000
Increase in the counties of England probably . .	100,000

It is my opinion, therefore, that the whole measure will add to the constituency of the Commons House of Parliament about half a million of persons, and these all connected with the property of the country, having a valuable stake amongst us, and deeply interested in our institutions. They are the persons on whom we can depend in any future struggle in which this nation may be engaged, and who will maintain and support Parliament and the Throne in carrying that struggle to a successful termination. I think that those measures will produce a further

benefit to the people, by the great incitement which it will occasion to industry and good conduct. For when a man finds that, by industrious exertion and by punctuality, he will entitle himself to a place in the list of voters, he will have an additional motive to improve his circumstances, and to preserve his character amongst his neighbours. I think, therefore, that in adding to the constituency we are providing for the moral as well as for the political improvement of the country.

Having now, Sir, gone through the principal provisions of the Bill which I propose to introduce, I cannot but take notice of some particulars in which, perhaps, this measure will be considered by many to be defective. In the first place, there is no provision for the shorter duration of Parliaments. That subject has been considered by his Majesty's Ministers; but, upon the whole, we thought that it would be better to leave it to be brought before the House by any Member who may choose to take it up, than to bring it in at the end of a Bill regulating matters totally distinct. Without saying, therefore, what is the opinion of his Majesty's Ministers respecting that question, which I myself think to be one of the utmost importance, and to deserve the utmost care in its decision, we shall keep the large measure of Reform which this Bill comprehends separate from every other question, and leave the subject of the duration of Parliaments to be brought before the House by some other Member at a future time. For my own part, I will only say that whilst I think it desirable that the constituency should have a proper control over their representatives, it is, at the same time, most inexpedient to make the duration of Parliaments so short that the Members of this House should be kept in a perpetual canvass, and not be able deliberately to consider and to decide with freedom any great question. Sir, I do not think it behoves the people of a great empire to place

their representatives in such dependence. What the point then is, at which we may fix the proper control of the constituency, I do not think it necessary to discuss at present. When the question comes under the consideration of this House, I shall be ready to deliver my opinion. I have now only to state, that the King's Ministers are satisfied that they ought not, on the present occasion, to propose any measure for shortening the duration of Parliaments, and, that in providing for a popularly elected representation, they ought to abstain from embarrassing that question with any other, which is encumbered with its own doubts, difficulties, and obstacles.

There is another question, Sir, of which no mention is made in this Bill, although it at present occupies very much the attention of the country—I mean the question of Vote by Ballot. Sir, there can be no doubt that that mode of election has much to recommend it. The arguments which I have heard advanced in its favour are as ingenuous as any that ever fell under my observation on any subject; but at the same time I am bound to say that this House ought to pause before it gives its sanction to that measure. The hon. Member for Bridport, who is to bring this question under the notice of the House, says that secrecy affords the only means by which the elector can be secured in the independence of his vote. But, Sir, I must say, that while on one side it favours the conscientious voter in the exercise of his franchise, it, at the same time, affords a cover to much fraud, to much deceit, private hatred, treachery, and falsehood. If it would prevent the exercise of an improper influence over the good, it would also prevent the operation of a beneficial influence over the bad. I doubt, likewise, whether, in a country like this, accustomed as the people are to vote openly, electors would ever avail themselves of the secrecy of the ballot. But if they could be induced to adopt this mode I have

still great doubts as to its practical effects. It is very doubtful to me whether there is any class or description of men who will not be swayed by influence, in whatever manner that influence may be manifested. Men of rank and title may still desire to have power over the multitude, and it is not clear to me that the ballot would counteract the influence of such men. They would endeavour to exercise the same influence over the minds of the people, and that influence once acquired, where is the protection afforded by the ballot? I am bound to say, moreover, that, above all things, it appears very doubtful that it would be at all advisable to have any class of persons wholly irresponsible in the discharge of a great public duty. For, if we can suppose ballot to be completely successful in concealing the voter, he is, and must be, irresponsible in the exercise of a vast power. I am not one of those who wish to see such power placed in any hands. Men who follow Courts, advise an arbitrary king; persons enamoured of the distinctions of rank, are willing slaves to an arbitrary aristocracy; men of a more generous and enthusiastic nature exalt an arbitrary multitude; but those who weigh things soberly and calmly, see in all these shapes a fallible being, whose mind may be clouded by every variety of error, and whose will may be misdirected by every storm of passion. In our country, at least, it is in the influence of one part of the Government over another, of the Crown over the Lords, of the Commons over the Crown, of public opinion over all, that we are accustomed to seek for a security against the encroachments of tyranny of every description.

I arrive at last at the objections which may be made to the plan we propose. I shall be told, in the first place, that we overturn the institutions of our ancestors. I maintain, that in departing from the letter we preserve the spirit of those institutions. Our opponents

say, our ancestors gave Old Sarum representatives, therefore we should give Old Sarum representatives. We say, our ancestors gave Old Sarum representatives, because it *was* a large town; therefore we give representatives to Manchester, which *is* a large town. I think we are acting more as our ancestors would have acted, by letting in representatives for our great commercial and manufacturing towns, than by excluding such representatives. I may be told, that the proposed Reform is contrary to the principle of Parliament, as settled at the time of the Revolution: and Mr. Burke may be quoted in support of the proposition, that as the same places continue to send representatives, the principle of the Constitution must be the same. But whilst I acknowledge Mr. Burke's transcendant ability and unequalled powers of reasoning, I cannot approve of his mode of arguing this question. He might as well have held that the principles of the Roman Empire in the time of Augustus were the same as the principles of the Roman Republic in the days of the first Brutus, as to say that because Old Sarum, from its size and importance in the time of Edward III., sent representatives to Parliament, it should continue to send those representatives, or else we should no longer follow up the principle of our ancestors in forming the Constitution of this House. It has been asserted also, if a Reform were to be effected, that many men of great talents, who now get into this House for close boroughs, would not be able to procure seats. I have never entertained any apprehensions of the sort, for I believe that no Reform that can be introduced will have the effect of preventing wealth, probity, learning, and wit from having their proper influence upon elections. My learned and hon. Friend near me, his Majesty's Attorney-General, is an illustrious instance that, in large and populous boroughs, lawyers of eminence, and gentlemen of great talents and public spirit, will be spontaneously

chosen. It may be said, too, that one great and injurious effect of the measures I propose will be to destroy the power and privileges of the aristocracy. This I deny. I utterly deny that this plan can have any such effect. Wherever the aristocracy reside, receiving large incomes, performing important duties, relieving the poor by charity, and evincing private worth and public virtue, it is not in human nature that they should not possess a great influence upon public opinion, and have an equal weight in electing persons to serve their country in Parliament. Though such persons may not have the direct nomination of Members under this Bill, I contend that they will have as much influence as they ought to have. But if by aristocracy those persons are meant who do not live among the people, who know nothing of the people, and who care nothing for them—who seek honours without merit, places without duty, and pensions without service—for such an aristocracy I have no sympathy; and I think the sooner its influence is carried away with the corruption on which it has thriven the better for the country, in which it has repressed so long every wholesome and invigorating influence. Language has been held on this subject which I hope will not be heard in future. A call has been made upon the aristocracy—all who are connected with it have been summoned to make a stand against the people. Some persons have even ventured to say, that they, by their numerical strength, could put down what they call sedition. But the question at issue does not respect the putting down of sedition. The real question is, whether, without some large measure of Reform, the business of the country can be carried on with the confidence and the support of the people? I shall not ask whether you can resist Reform, but I say that it has become a question whether or not the Constitution would now perish if Reform be deferred. This House, in its un-

reformed state, has nothing to look to but the sympathy, confidence, and support of the nation. If it now refuses Reform, that sympathy will be withheld—that support will be denied. I ask you, then, whether, when his Majesty's Ministers are convinced that Reform is necessary, and when they have the approbation of their gracious Sovereign for bringing this proposition before the House; when they declare that Reform is indispensable; when multitudes of petitions pour upon your table, and myriads of voices out of doors put forth a just request for Reform—will this House say, 'We are the judges of our own honesty, we despise the advice of the Crown, and disregard at once the warning of Ministers and the demands of the people, whom we profess to represent?' Will this House say, 'We will keep our power, keep it how we may; we regard not the petitions of the people, and are ready to abide by all the consequences of our refusal?' I appeal, Sir, in my turn, to the aristocracy. The gentlemen of England have never been found wanting in any great crisis. When the country was engaged in war against the national enemy—when the honour and security of the country were assailed—they were ever foremost. When burthens were to be borne, they were ever as ready to bear their share as any other class of the community. I ask them now, when a great sacrifice is to be made, to show their generosity—to convince the people of their public spirit—and to identify themselves for the future with the people. Upon the gentlemen of England, then, I call. I ask them to come forward, and, by their conduct on this occasion, to give security to the Throne, stability to Parliament and the Constitution, and strength and peace to the country. The question is to be decided by this House.

Whatever may be the result of this proposition, the King's Ministers will feel that they have done their duty.

They have hitherto pursued an even and straightforward line, consulting no particular class or party, but acting according to the dictates of what they considered their duty. Wherever the line of duty has led them they have not hesitated to encounter any difficulties by which they were met. I need only refer to their firm and vigorous exertions of the laws, by which those disturbances, which unhappily prevailed throughout the country when they took office, have, I may say, been entirely put an end to. By the vigorous exertion of a law, passed before they came into office by another Ministry, they have been enabled to put down that system of agitation which had commenced in the sister kingdom, and which threatened such fatal results. In neither of those instances, I may venture to say, has there been anything like a bending to popular clamour on the part of his Majesty's Ministers, or a desire to ingratiate themselves with the people, for the mere sake of obtaining popular and transient favour. I therefore think I am justified in saying that we are to be believed when we come forward and state that we consider some effectual measure of Reform to be necessary. I say that we have a right to be believed when we assert that it is not for any sinister end of our own we bring forward the present measure, but because we are interested in the future welfare of this country, which welfare we conceive to be best consulted by the adoption of a timely and an effective Reform—because we think, that by such a course alone we shall be enabled to give a permanency to that Constitution which has been so long the admiration of nations, on account of its popular spirit, but which cannot exist much longer, unless strengthened by an additional infusion of popular spirit, commensurate with the progress of knowledge and the increased intelligence of the age. To establish the Constitution on a firm basis, you must show

that you are determined not to be the representatives of a small class, or of a particular interest; but to form a body, who, representing the people, springing from the people, and sympathising with the people, can fairly call on the people to support the future burthens of the country, and to struggle with the future difficulties which it may have to encounter; confident that those who call upon them are ready to join them heart and hand: and are only looking, like themselves, to the glory and welfare of England. I conclude, Sir, by moving for leave to bring in a Bill for amending the state of the Representation in England and Wales.

PARLIAMENTARY REFORM BILL FOR ENGLAND.

June 24, 1831.

LORD JOHN RUSSELL moved, that that portion of his Majesty's Speech which related to the question of Reform in Parliament should be read.

LORD JOHN RUSSELL: I rise, Sir, for the purpose of moving, in the name of the Government, a measure which, in their opinion, is calculated to maintain unimpaired the prerogatives of the Crown, the authority of both Houses of Parliament, and the rights and liberties of the people of this kingdom. Sir, in rising to make this Motion, I cannot but ask, recollecting what took place on this subject in the late Session of Parliament, that I may have the benefit of a patient attention during the explanation I shall endeavour to give of the general principles of the measure which his Majesty's Ministers have thought it expedient to propose. I trust that on this occasion gentlemen will so far favour me as not to repeat the cheers and gestures with which they thought that this measure was at once to be driven out of the House, and scouted by the ridicule of the great party that was here congregated and banded together against it. Whatever may be its reception, I

feel strongly this, that his Majesty's Ministers have neither yielded nor abated their endeavours in consequence of the opposition they have encountered; that neither the taunts nor the jeers with which the first proposition was met in no measured manner, nor the libels with which the measure itself was disfigured, nor the fair and able opposition which was made to it in this House by men of weight and talent, nor those more dangerous weapons, unwarranted and slanderous as they were, which imputed to the Sovereign of these realms a will different from that of his constitutional advisers—I say, Sir, that none of those obstacles, powerful as they were felt to be at the time, have prevented the Sovereign, or his Ministers, or the people, from pursuing that object which has been considered as dear at once to those who wish to live according to the ancient rules of the Constitution, and to all those who are sincerely attached to the rights and liberties of the people of this Empire. Of the conduct of the Sovereign, or of that of his Ministers, it would not become me to speak; but I cannot proceed farther without saying in a few words how much I admire, as worthy of all praise and glory, the conduct of the people of England; and I say this without any reference to the merits of the measure itself, which, however, has successfully undergone the great test of national approbation. If this measure was of that character which it has been untruly represented to be, the praise and glory due to the people of England would still be the same; for in the sacrifices made, and the devotedness shown by the humbler classes of the community in the pursuit of what they thought their duty to their country, they have set an example of which England may well be proud to the latest generations. It has been said that the late elections were not governed by reason but by passion. That they were conducted under the influence of passion I do not deny, but it was that noble passion, the love

of country, and under its influence the whole population of this empire have exhibited an animation and enthusiasm which led them to forget all their own petty interests wherever the public good was concerned. Nothing but a passion of this kind could have persuaded men, with only the income of a few shillings a day, to resist all the bribes that temptation offered to their acceptance—to give up, after all that was insinuated upon the subject, the possession of a privilege which they had enjoyed, and which they were told their children ought to enjoy after them—a valuable privilege too—for the sake of what? For the sake of a measure which was not for their benefit, but for the future benefit and welfare of millions of the inhabitants of this kingdom. This must have been a lesson to those who despise the people, and who never speak but with disparagement and contempt of the lower classes. It is a lesson which I should have thought would have operated sooner and more powerfully than it has done, and would have taught such men not to speak of any classes of his Majesty's subjects in a manner from which the heart of his Majesty himself would recoil; for, whatever may be the situation of any man, be his gains what they may, if he is pursuing a course of honest industry, if he acts independently and conscientiously, even though he be mistaken, is he not as much worthy of respect as the proudest or the most opulent of those who justify by their conscientious opinion their opposition to the measure I have now the honour to bring before you.

I shall now proceed to speak of the measure itself. The features and details of that measure I shall not think it necessary to enter this day particularly into, because they are the same as those of the Bill that was before the House during the late Parliament; and as the slight improvements which have been made are solely

intended to carry into effect the principles of that Bill, I think it will be quite sufficient if I leave the consideration of all the details of the measure till the period when this House shall have sanctioned the Bill by a first and second reading, and shall be about to consider it in a Committee. But although I do not feel it necessary now to explain these particulars of the Bill, yet I do think that when this House, having been called together for the purpose of considering this great question—a question affecting deeply and entirely the constitution of the House itself—I do think, I say, that it will be respectful to the House that I should perform the duty of endeavouring to lay before it, in some manner, a statement of what the principle of representation has been, what it is under the present existing state of the law, and what it will be, generally and largely speaking, under the provisions of the measure which we now propose.

If we go back to the origin of representation, we shall find, without entering into the circumstances of Europe, which at that time were the cause of many changes, that the towns and cities of Europe grew into importance, that in some countries—as, for instance, in France and Spain—representative assemblies were formed; while in others—as in Germany and in Italy—many towns enjoyed an independent Constitution of their own. With respect to our own country, there was no regular or defined representation of certain cities and boroughs in this House; but the Sheriffs received writs, directing them to send two citizens from every city, and two burgesses from every borough within their bailiwick, and they interpreted these commands as they found the cities and boroughs were capable of bearing the expense of sending Members to Parliament, or of contributing to the revenue of the kingdom. I hold in my hand the statement of several instances in which the returns varied from

each other at different times on the account I have mentioned. In the reign of Henry VI., York and Scarborough sent Members, and the Sheriff returned that there were 'not any more cities or boroughs than these in Yorkshire' from whence Members could be sent to Parliament. In the same reign the same thing occurred with respect to Cornwall. The Sheriff returned Members from Launceston, Liskeard, Bodmin, Lostwithiel, Truro, and Helston, and then added to the return the words 'there are no other cities or boroughs within my bailiwick' that could send Members. In Lancashire the case was still more remarkable. In the 19th of Edward II. Lancaster was the only borough capable of returning Members. In the 1st Edward III. Lancaster and Preston sent Members; in a later period of the same reign, Lancaster again was the only borough that sent a Member; and in the 34th year of Edward III., the Duke of Lancaster, to whom the writs were directed, returned, that Lancaster was the only borough which in time past appeared to have sent Members to Parliament. In the 38th year of that reign, a similar return was made, and the ground assigned was the poverty of the boroughs, the words being '*propter debilitatem seu paupertatem.*' That was the manner, Sir, in which, for about 250 years this House was constituted. Between 120 and 130 boroughs seem pretty constantly to have returned Members; thirty returned them from time to time only, and the Sheriff, in the manner I have described, took upon himself to enforce or dispense with their attendance. So that during this first period there was nothing more irregular or less settled than the right of boroughs to send Members to Parliament. The second period to which I shall refer extends from the reign of Henry VI. to that of the Tudors. During that period this House grew into importance and authority. It was then thought politic and useful, for the advantage of the Royal authority, that

there should be summoned Members from a great number of other boroughs; and Members were accordingly summoned from places which had regularly sent them in former reigns, and from others that had since been discontinued. In looking over this list, Sir, it seems that the great proportion of the boroughs summoned within this period had not become large boroughs in the course of time, but, on the contrary, many of the small boroughs in Cornwall were called upon to send burgesses to Parliament for the first time in the reigns of the Tudors. Some of these returns prove, that of the fifty-five boroughs which we now propose to disfranchise, by inserting them in Schedule A of the Bill, no less than forty-five were created or restored during the reigns of the Tudors. I do not pretend to argue, Sir, that they are more in our power, for the purpose of disfranchisement, because they are more or less ancient; but I mention it as a remarkable fact, that the power of sending Members was given to these boroughs by the Tudors, apparently rather with the intention and object that the men sent should depend upon the Crown, than with any view of enlarging and improving the representation of the country. During the whole of the time I have mentioned, the power of the King to summon Members was as unquestioned as it had been in former times. Especially deserving mention, as a proof of this fact, is the instance of the borough of East Looe, respecting which the entry in the Journals is, that 'the charter is not to be questioned in this place, but only that the persons returned shall prove whether they are burgesses of East Looe, and that they have been sent hither in obedience to his Majesty's command.' So that, from the reign of Henry VI., to the end of the reigns of the Tudors, the greatest irregularity existed in the return of Members to this House, its constitution was unsettled, and the power of the Crown enabled it to send Members hither at

its pleasure. I mention this, as I wish to argue this question on this principle, that the constitution of this House, instead of being a settled, perpetual, and invariable constitution—one which, as we were told, had never changed, and respecting which it was imputed to us as a great fault, that we, for the first time, with unhallowed hands, have ventured to violate its sanctity—a constitution that never was, for any fifty consecutive years during a long period of time, settled and stationary, and that the Crown, which was the power that at that time possessed most influence, was able to effect changes as circumstances might require them.

If the representation of this House was not, as I have shown, settled in the time of the Tudors, it will not surely be maintained, that during the Civil Wars under the Stuarts, those wars which have been called by a foreign writer 'a Revolution of fifty years,'—it will not surely be maintained that in the midst of these changes it became settled. During that period of commotion those precedents occurred which are mentioned with abhorrence—those changes effected by Cromwell—changes which, though referred to with horror by the anti-Reformers of this day, did not so affect the mind of Lord Clarendon, who, although a man not fond of revolutions, but rather an admirer of monarchical power and hereditary government, did yet think proper to say that these alterations were fit to be made 'with more warrant of authority, and in better times.' In proposing changes now we are not altogether liable to the blame thrown upon Cromwell for making them; but we may take Clarendon for our guide, and say that these changes are now proposed 'with more warrant of authority, and in better times.' And that we are authorised by his doctrine and opinion in making an attempt to effect those changes in the representation, changes which will make it more consonant with the pre-

sent state and condition of the people. During the reign of Charles II., whatever may have been the state of the representation before that time, we are justified in saying that then it was not what it is now; for, on a memorable question—namely, the Exclusion Bill—there was a difference of opinion between the Houses of Lords and Commons. The Commons generally were in favour of the measure, which, however, was rejected by a majority of two to one in the House of Lords. The King, in consequence of this, had recourse to the exertion of his Royal prerogative in dissolving the Parliament. Had such a thing occurred in more recent times, we all know, however much the people might agree with their representatives, notwithstanding the majority in the Peers, that 150 or 200 new Members would, upon the new election, have found their way into this House to vote against the sense of the people. It was not so then. One Minister was retained a Secretary of State, and when he proposed an Amendment to the Exclusion Bill he could not find one Member to second him. That is a proof that the House of Commons of this day is not constituted as the House of Commons of that day was; for although we have the same name we have not the same influence, or the same degree of popular control which existed in the House on that day.

I now come, Sir, to the glorious period of the Revolution, from which many gentlemen date the Constitution itself —deeming that the time of political memory should extend back no further. What took place then? The first declaration made by the Parliament of that day was, that elections should be free; and one of the first Acts of the second Session of William III. was the enactment of a law, that the Lord Warden of the Cinque Ports should have no right to nominate two Barons for the same, as he unjustly and unlawfully had assumed to do. In the course of years that followed the Revolution, there never was any time at

which this House did not declare and enact that the election of Members to serve in this House ought to be in the people of the country, and ought to be free. I will now read the preamble of the Act of the 8th George II., which is framed in the same spirit:—'Whereas, by the ancient Common Law of this land, all elections ought to be free: and whereas by an Act passed in the third year of the reign of King Edward I. of famous memory'—on a former occasion it was thought pedantry in me to quote a statute of Edward I., but I see that the Legislature of George II. did not disdain that pedantry—'it is commanded upon great forfeiture, that no man, by force of arms, nor by malice or menacing, shall disturb any to make free elections; forasmuch as the freedom of elections of Members to serve in Parliament is of the utmost consequence to the preservation of the rights and liberties of the kingdom.'

I have no hesitation in saying, that I think the elections ought to be free from force; and that when Parliament spoke of free elections, they did not mean elections by a gentleman's gardener, who followed the will and pleasure of his master, whether one man or another should be elected into this House. That was not their meaning, and it never can have been the meaning of those who passed this Act: but we are now told by a great authority that such was the meaning, and a petition was presented to this House during the last Parliament, which went upon this ground, that a certain number of Members of this House ought to be nominated by individuals, and a certain number of others ought to sit here by virtue of 1,000*l.* or 1,200*l.* a year paid by them to a person on whose authority they are returned as Members. A right hon. Friend of mine, the Judge Advocate, argued with great force and ability on this circumstance, that, be the constitution of this House as excellent as it might, it would be impossible to persuade the people of

this country to think it right, so long as they saw it carried into practice in a manner that was a defiance of all the laws and statutes now existing upon the subject. That argument it is impossible to controvert. If you mean to say it is right that a certain number of men should sit in this House as mere nominees, and that others should sit here by virtue of the money which they have paid for this purpose, then I ask with what object have all the laws from the Revolution to this day been passed for securing free elections, and to what end have been enacted those which, with the same professed object, have directed punishments and penalties for bribery and corruption? Either one or the other must be wrong. I may be told that the people are wrong, and that we ought to teach them to be contented; but how is it possible they should be wrong, or that we should teach them to think otherwise, when Parliament declares, on the one hand, that it will maintain these laws and this constitution of the House by free election of the people, and when it admits, on the other hand, Members into this House, in direct defiance of those very laws, and when, at the same time, the opponents of Reform say they will not alter the practice, nor change the law, requiring the people to be contented under the contradiction, so that the more absurd the violence done to the understanding of the people, and the more dark and hidden the mystery with regard to the practice, the more worthy the matter is described to be of the admiration of the people. The hon. Member for Oxford may think that this is quite right, but I can tell him that Parliament can no longer govern the country by the use of such contradictions. Neither do we intend to have recourse to them; on the contrary, we intend to appeal,—our own Administration,—to the plain sense of the people, and to ask for their obedience on grounds which are clear and intelligible. During the period when, as I have said, there has been a

desire to maintain in force all the statutes and declarations providing for the perfect freedom of elections, that has taken place, which is liable to take place, under every Constitution—the introduction of abuses the most fatal to that free choice which the laws and constitution of Parliament recommend. If I understand anything of the history of our representation, I may assert that a little more than a century ago, although there were elections in corporate towns by small numbers of individuals, yet, generally speaking, those small numbers did represent fairly enough the feelings and opinions of the towns from which the burgesses were to be sent. But as it was discovered, in the course of time, that it was a very valuable property to have an influence in the election of Members of Parliament, men who wished to establish a power of this kind, by means of their extensive possessions, contrived so to pervert the letter and spirit of our institutions that elections by a few persons, whether corporators or freeholders of the different boroughs, did become, in fact and effect, elections made solely by individuals. I have looked at the work, the excellent work, of Browne Willis upon this subject; and the first instance I shall quote will certainly not be thought an unfair one—that of the borough of Tavistock. In that borough, according to the work I have named, in 1716 there were 110 persons who polled at elections. Looking at the returns from thence, it appears that the family to which I belong very often returned a Member, and the other Member seems usually to have been a gentleman of the county. At some period, I really cannot tell exactly when, the Duke of Bedford, having great property in the neighbourhood, bought up the freeholds, and in time the constituency was so diminished that the electors varied between only twenty-seven and thirty-five. They are not persons entirely dependent; but still it will be seen, that so small a number was much

more within the verge of the influence of a great proprietor than the 110 voters would be, who, a century earlier, assisted at elections. The next instance I shall notice is that of the borough of Cambridge. In 1716 there were about 200 electors at Cambridge; who seem to have been persons entirely belonging to the town, and the representatives whom they sent to Parliament, judging from the names of Cotton and Bacon, were generally members of some of the principal families belonging to the county. Bacon is a name too familiar to every gentleman to require any remark, and the name of Cotton, particularly that of Sir Hyde Cotton, is well known to everybody acquainted with the Parliamentary history of the country. I know not if the members of the University of Cambridge, in their speculations on Reform, have at all attended to what has taken place in the borough so immediately under their eyes; but I believe the fact to be, that a banker there, having considerable influence with his brother townsmen, gave the whole power of the Corporation into the hands of the Duke of Rutland, for which, it is said, the banker received a reward, to him quite satisfactory, in the possession and disposal of a considerable quantity of the patronage of Government. What is the result? The Duke of Rutland is, in fact and effect, the person who elects the representatives for the borough of Cambridge. He, therefore, sends the two Members to this House—one being a gentleman from Ireland and the other a noble Lord of this country. I mention from whence they come, because it was an argument against us in the last Parliament, that we were about to break up and destroy the English representation, and to give a preponderance to the representatives of Ireland and Scotland.

The new Members of this House will hardly believe that we were charged with an intention to disturb the English representation, and to rob England of her fair proportion of

Members. The evident result of our measure, however, would be—and to attain that was our object—that whereas certain individuals have now got complete and absolute power over certain boroughs, and may, as they please, return gentlemen from Ireland, Scotland, or from the East or West Indies, we should restore the power of choosing representatives to the towns of England which have been deprived of it by abuses of perhaps fifty or sixty years' standing. This might or might not be a wise plan; but to say that it would rob England of its Members is one of the most monstrous abuses of language that was ever practised by the tongue of man. An argument of the same kind is used by an hon. Baronet (Sir John Walsh), in a pamphlet he has published, in which he says that the effect of the Bill will be to deprive small country gentlemen of their influence, and to give the whole of it to great landed proprietors, and to persons connected with the trade and manufactures of the places from whence Members are sent. I will venture to say that the hon. Baronet must be entirely ignorant both of past history and of present times to make such an assertion. If he would just take the pains to look at the Returns made to Parliament in former years, he would find that during a long course of time various small boroughs were accustomed to send to this House small country gentlemen, and others of property, connected with the places, and that that practice has diminished, if not altogether ceased, by the changes that have more recently been introduced, and which have had the effect of returning for the greater number of these boroughs gentlemen in no wise connected with them, they having purchased their seats from the patron of the borough. So that whatever may be the faults of our Bill—whatever may be its errors—the last thing that can be imputed to it is, that it tends in any way to lessen the influence of country gentlemen.

I will now refer to some other instances of places in which the constituency has been diminished. Plymouth and Portsmouth may be mentioned, and in the last the voters have been reduced, since 1716, from 400 to 59. In short, it would be easy to point out many boroughs where, while the buildings, population, trade, manufactures, and wealth have been progressively augmented, the number of voters has been diminished. These changes, by which individuals gradually acquired the power of sending Members to represent them in this House, at length excited the attention of the country, and for nearly fifty years a debate has been carried on, with more or less animation, attracting more or less interest, upon the question whether this House ought really to represent the people, as it professed to do, or whether nominations by individuals to seats in this House ought to be permitted as a wholesome innovation? In the course of this discussion great men have taken different sides. The part of Reform was taken by the great and vigorous mind of Lord Chatham, and by the liberal and manly understanding of Mr. Pitt. Mr. Pitt, not in his boyhood, but after he had been six years a Minister of this country, declared that he was still of opinion that, if the French Revolution were not raging, it would be desirable to make some change in the representation in order to provide an effectual security for the rights and liberties of the people. On the other side appeared Mr. Burke, who put his argument with that fancy and command of language for which he was remarkable; Mr. Canning, whose loss we have more recently had to deplore, and who for some time delayed that consummation which we should otherwise have attained —and I am bound to add, that at a later date Mr. Pitt himself—declared that such a change in the representation was not fit to be adopted. I will not enter into a history of the debates: but the question has been very long under

discussion, and now only is it probable that something will be done with it. I think I may fairly say that a period of fifty years is sufficiently protracted, and that now, when his Majesty has called Parliament together to consider the matter, it is ripe for deliberation, and we may enter upon it without any imputation that we have undertaken it rashly, or that we are attempting to introduce a complete novelty in proposing the changes.

But although the subject of Reform has been so many years under discussion, without having made much progress in Parliament, the same cannot be said of the representation of the two sister kingdoms, Scotland and Ireland. With regard to them no respect has been paid to vested rights —no such religious horror as we have seen recently evinced when we have endeavoured to obtain the return of Members according to the ancient and acknowledged principle of the Constitution.

As to Scotland, let it be recollected that it was under the advice and authority of Lord Somers that the knights, citizens, and burgesses of that country were swept into the narrow compass of 45 Members, about one-third of the original number. And here let me say one word on Lord Somers, because he is one of the persons whom the admirers of antiquity profess to quote, and hold up as one of the great lights by which we are to be guided. Let us look at the course of the political life of Lord Somers. He began by writing a work, which he called 'A just and modest Vindication of the late Parliament,' a Parliament which had proposed to exclude the next heir from the Throne. His next great act was to assist in the exclusion of one King and in the calling in of another. Afterwards he aided in inviting the House of Hanover to the Sovereignty of these realms; and lastly came the Union with Scotland, which parcelled out and divided the representation of that country. Whatever, therefore, may

be said of Lord Somers, he cannot be quoted as unfriendly to innovation, and not prepared, when circumstances called for it, to put himself forward to make those changes he saw were necessary. It was asked, on the occasion of the Scotch Union, as it is asked now—Why make so great a change? I have in my hand the protest of certain Peers against that Union, containing words very similar to those we hear now employed. They protest against the Union, because the Constitution of the country is so very excellent, and, therefore, justly applauded by all our neighbours for so many ages, that they cannot conceive it prudent to change it; some of the alterations being likewise of such a nature that the inconvenience and danger of them was already but too obvious, while into other points it would be more proper and decent not to enter. This protest was subscribed Beaufort, Buckingham, and Stawell. But was Lord Somers deterred because these Lords declared the state of things could not be altered but for the worse? On the contrary, he has left a note of the speech in which he answered the objections. 'Objection 1, That too sudden alterations are dangerous.' That was one objection made to the Union, and Lord Somers's answer to it was in these terms:—'This is certainly true, unless where the most manifest danger arises from the delay itself.' Let hon. Members, then, quote Lord Somers as their authority; I say we are following his footsteps. I assert, that there is greater danger from delaying Reform than from adopting our measure. And I call upon the House not to be influenced by any of these fears of touching the Constitution, seeing that it is a fear which has been entertained at every change, and which has been as regularly disproved within ten years after the change was made. The Constitution, which was to be utterly destroyed, on the contrary has derived fresh force and vigour from the change deprecated by these ignorant

worshippers of antiquity. Such was the case with Scotland: it was decided at once, without any very careful looking into particulars. They wished for a certain number of Members, but the Commissioners said, you shall have 45 and no more. In this practical and sensible manner was this question of the Representation of Scotland at once settled.

Let us now look at Ireland. Has the Representation of Ireland never been touched? And by whom was it touched? By some audacious Whig? By some Radical, the enemy of the Monarchy and of the House of Lords? By no means; it was parcelled out and changed, and a number of its boroughs utterly disfranchised, by the hand of Mr. Pitt, whose memory hon. Gentlemen opposite annually meet to celebrate, and whose name, strangely, indeed, they consider the token and talisman by which they are to oppose the progress of Reform. That change occurred not many years ago; but another change took place still more recently, which I quoted when I brought the present Bill before the late House of Commons. I said, at that time, that if it were a matter of right, the 40*s.* freeholders of Ireland had as good a right to their franchise as the owners or voters of Beeralston or Gatton, and many other places which it is the object of this measure to suppress. I never heard, I must say, any answer to that observation, and the right hon. Baronet opposite said very fairly, 'Make out as good a case for the destruction of these franchises as for the abolition of the Irish 40*s.* freeholders, and I will not refuse to support Reform.' I hope I do not misrepresent his statement, and I ask, what was the ground upon which the House of Commons was called to disfranchise the 40*s.* freeholders? Was it not that they were dependent upon their landlords? Was it not that they could not exercise a free choice? Was it not that they were driven to the

poll like cattle, that they were carried there in crowds by the agents of estates, without knowing for whom they were to vote? Hence the sacred trust was most improperly left in their hands. Then I maintain that those who vote in nomination boroughs are more completely dependent on the nod and beck of the proprietors than even the Irish 40s. freeholders who were driven to the poll. But there was another reason for their disfranchisement. It was said, that even where they were not dependent, they were men so bigoted and ignorant, that they were guided and governed by their priests, and that they voted as the priests directed, because they thought it was necessary for their salvation. Therefore the position was, either that they were so dependent upon the landlord, or so controlled by the priest, that they were not in a condition to retain and exercise the franchise. I say, that in all the nomination boroughs the voters are either under the direct influence and absolute dominion of the proprietor, or they are what is called independent, which means, voting for a particular candidate on consideration of a bribe, the acceptance of which violates Acts of Parliament, and is an offence punishable in the Courts below. My position, then, is this—that all the boroughs we introduce into the Schedules afford causes of disfranchisement as strong as those which convinced Parliament in the instance of the 40s. freeholders of Ireland. I contend that the electors do not exercise a choice, because they are either not independent or corrupt; and I call upon you to destroy their franchise, to purify their corruptions, and to restore the Constitution to its word, letter, and spirit, and to what I hope before long will be its practice. A certain number of boroughs return Members at the will of individuals —nine Peers return sixty-three Members to this House. In other boroughs the elections are carried on by the most notorious and shameful bribery. In some cities and large

towns the elections are open and free; in some large counties the elections are fair, but the expenses to the candidates are so heavy that men of small fortunes are ruined by them, and none will venture to become candidates who are not possessed of most extensive resources. I beg any Gentleman to recollect the elections of the year 1826, during which every kind of bribery was openly practised, and masses of corruption were exposed. In some cases, after many days of contest, electors were brought drunk to the poll, the wildest riots occurred, and men voted for one candidate in preference to another, because one party had given five guineas more than his rival. Numbers went to the hustings without once thinking of the qualifications of the party for whom they appeared—price was all they cared about; and surely this cannot be considered a state of Representation fit for an enlightened nation. Looking at the Constitution, it shocks me to see that a great majority of the members of this House may be returned by a few individuals. Looking at the cause of morality, it offends me to see that an election is an excuse and an occasion for every species of perjury bribery, and drunkenness. Looking at the dictates of wisdom and policy, I am shocked to see—or I should rather say, I regret to see—that large populous places, where much wealth and intelligence are congregated, have no influence in the choice of representatives.

We propose to alter this system—we propose to substitute a different system for it, altering the original form as little as possible. We propose to preserve the elections in counties, and in cities and boroughs, where they exist, on the true principle of the Constitution. According to the amendment we recommend, about 150 Members will be sent by the counties, and the larger counties being divided, each division will have as much population and more wealth than the whole county possessed a hundred years ago. I

have gone through the calculation, and I find that such will be the fact; and so far from the number of inhabitants being small, so as to open the door to individual influence, the population will vary, perhaps, from 70,000 to 120,000.

Next, according to our scheme, about 180 Members will be sent from great cities and towns, not omitting Manchester, Leeds, or Sheffield, and giving to all the great manufacturing interests, such as the woollen and cotton, the mining districts, the coal trade, and the potteries, the opportunity of having their claims duly regarded, by giving them a due share in the Representation. Putting politics aside—I mean putting aside the immediate contests of politics—will any man deny that it will be a great advantage to places of great wealth and trade, instead of sending deputations to my noble Friend the Chancellor of the Exchequer, to have Members in this House capable of watching over the interests committed to their charge, and capable of guarding them from any encroachment or injury? It is true the effect will be to displace a certain number of Members (representatives I cannot call them), well qualified to make speeches of great amusement, and sometimes of great eloquence, but whose presence does not, in my mind, compensate for the absence of those who are immediately connected with our commerce and manufactures.

In the Representation, as we propose to leave it, there will still be a class which some may think a blot on our system, but the existence, I think, will add to the permanence of Parliament, and to the welfare of the people—I mean that there will be a hundred or more Members from places of three, four, five, or six thousand inhabitants, who will not perhaps immediately represent any particular interest, and who may, therefore, be better qualified to speak and inform the House on great questions of general interest to the community. If we had proceeded

as some recommended, viz. to destroy the existing system, and to allow none but Members from counties, and large cities and towns, although it would have been a Representation of the landed, commercial, and manufacturing interests, something would still have been wanting to its completeness. That something I find in a number of persons not connected either with the land, commerce, or manufactures, but who are certainly well worthy to enter these walls, and able to give advice and advance opinions important to the welfare of the community. When I say that the smaller boroughs will have an opportunity of choosing such Members, I do not, of course, mean that they will return them all in the way of nomination. By fair and free means, candidates may obtain the suffrages of such constituents without any infringement of the Constitution. Such are the improvements we propose with regard to places sending Members; but in addition, there will be an immense extension of suffrage in counties and in large towns; and that extension will in part be accomplished by the admission of copyholders and leaseholders. The latter species of qualification we propose to extend farther than in the original state of the Bill, from which some were omitted—I mean those who had leases for a long term of years. I propose now that, instead of fourteen years, seven years shall be sufficient to entitle leaseholders paying 50*l.* a year to vote for the Members for counties. Such an alteration will establish a numerous constituency, and a very respectable constituency, for counties. With regard to towns, the suffrage will be vested in householders in dwellings of 10*l.* a year rent or value. This, although not, perhaps, the ancient right, I must hold to be in the spirit of our Representative system. During the last half century towns have so increased that all householders are not to be considered in the same light as householders in the reign of James I. I apprehend

that we are acting in the spirit of the Constitution, and of the well-known Resolution of the House of Commons in the reign of James I., when I say, that householders of 10*l.* a year will form an excellent constituency in cities and boroughs. I need not now explain that the Bill contains every provision for the registry of voters which will tend to prevent the bribery that takes place at elections, and to check the taking of false votes, a practice known to be frequent in the heat of an election contest. The regulation for taking the poll in two days I apprehend will also prevent the disgraceful scenes we have so frequently witnessed, and lessen the possibility as well as the inducement to corruption.

But I think we are bound, if possible, to go even farther, and the attention of Government has been most seriously directed to those laws on our Statute-book which have for their object the prevention of bribery and treating. Although no plan is yet mature, yet I trust that, in the course of the present Session, I shall be enabled to present a Bill to the House which will make the existing laws in that respect more effectual and executive. Let me, however, remark how much the measure I now propose to introduce will tend to the prevention of crimes of that description. One mode in which the due punishment of bribery and corruption under the existing law was interfered with, was by that argument often put in this House, but never so strongly as by Mr. Fox, when he said, 'How can you call to the Bar a wretched man, a poor labourer, earning only 10*s.* a week, and send him to Newgate for receiving a bribe of ten guineas, when you know that there are Members sitting in every part of this House who have been guilty of bribery on the largest scale, by giving three or four thousand pounds for the places they occupy among us?' I trust that hereafter that forcible rejoinder, quoted as a screen for bribery and

corruption, will be taken away, and that we shall find Reformers of all degrees ready to prevent and punish bribery, whether in the House or out of it. I know that some persons still think that such a Reform as would correct and punish this iniquitous practice would be sufficient to satisfy the nation: and upon this point I have seen a declaration by a noble Lord, who, among others, started as a Reformer in a northern county. He says that he shall be ready to disfranchise all boroughs convicted of bribery; but let me ask, Is that the only corruption that ought to be punished, or could we fairly and honestly stop short there, while we allow men to sit here who have made a traffic of seats in Parliament, or for other objects, not computable, perhaps, in pounds, shillings and pence, have made Representation a matter of barter and exchange?

I come now to speak of some few, and but few, of the objections urged to this measure in the various writings that have appeared from time to time. The first of these objections, and the most general, is that it is a plan far more extensive than is necessary or proper for the occasion. It is, of course, impossible to answer an assertion of that kind to the conviction of those who make it; but I beg to remark, that those who introduced this measure were not pledged by any previous promise—they were not bound by any previous declaration with regard to the nature and degree of their plan of Reform. Neither Lord Grey nor the Lord Chancellor, nor other members of the Cabinet who were formerly advocates for Reform, have laid down expressly to what point they would or would not go; and I think it fair to argue, that having been bound by no promise or pledge, and the course being evidently much easier to do less than to do more, establishes to conviction that they have brought forward this measure because they are satisfied it is necessary, in order to lay a lasting foundation on which to erect the representation of the people, to support the

prerogatives of the Crown, and to preserve the authority of both Houses of Parliament. The House may remember that I myself have been an advocate for a less extensive and less thorough Reform. I have said on former occasions, that if one Member were taken from each of the small boroughs it would be a Reform sufficient and satisfactory; but when I came to a consideration of this kind—attached to and belonging to a Government—I was obliged to ask myself whether, if I propounded that the plan should go no farther, I could say that the change would not only be effectual but permanent. If, upon my former plan of Reform, Gatton and Sarum preserved one Member each, would not the first motion in the reformed Parliament have been to do away with the remaining representatives of those places? Had I wished it, it would have been impossible for me to have resisted such a motion, and what then would have been the state of things? We should have proposed and propounded a measure, as a satisfactory measure of Reform, when in fact it would be only laying the ground for fresh dissension. It would be exposing the country to a discussion on the *minimum* or *maximum* of Reform, at a time, perhaps, when her affairs could ill bear such disputes; and we should have lost the opportunity, which we hoped to have embraced, of giving a measure at once which exposed us, as it may and as it has, to the risk of obloquy and opposition, but which, if carried, will give such stability and security to the system that we may then proceed to the discussion of other great and pressing interests without fear that the people will reproach us with not having done what was sufficient for the protection of their rights and interests, or reproach ourselves with having brought forward a scheme of Reform which could not be final, and concealing or disguising that we thought other measures must be its necessary consequence.

But if this Bill be not too extensive, it is found, as the next argument against it, that it is very unequal—that, after all, it leaves such places as Halifax and Bradford with fewer Members than Tavistock or Knaresborough. Our opinion is, that anomalies of this kind are not grievances that excite discontent. It is the practical evil which the country has felt which calls for redress, and by remedying that practical evil we trust we shall be able to defend anomaly, and stand out against those who wish to see a complete model of symmetrical representation. But do they who object to the inequality of our Reform, object in the hope that the plan they advocate will be equal and perfect? On the contrary, they say: 'God forbid that Tavistock or Knaresborough, with 5,000 or 6,000 inhabitants, should send as many Members as Halifax or Bradford;' and I ask them how they will reconcile with that mode of reasoning their determination that Gatton or Sarum, or a place with 700 or 800 inhabitants, should send as many Members to Parliament as Halifax or Bradford? So that the defenders of the Constitution have much more to answer for on the score of inequality than we have: they would preserve a system more anomalous, more irregular, and still less agreeable to the correct measure of proportion. When I speak of the defenders of the Constitution, I am supposing that they propose to adopt some kind of Reform; and adopting some kind of Reform, they at once lose the benefit of the argument of inequality. Mr. Canning's argument was, that as we found representation an anomaly, so we should leave it. But the strong ground taken by Mr. Canning and the Duke of Wellington is abandoned by their less skilful associates. They have adopted a Reform—they admit its necessity, and their Reform is more anomalous and irregular than ours; so that the argument against inequality is that which destroys the very system they would erect, and at once convicts

them of inconsistency and absurdity. We can wish for nothing better than that they should so continue to reason; and when I heard them take that line of argument I was disposed to say with Cromwell, when he saw the Scotch army descending from the hill into the plain, 'The Lord has delivered our enemies into our hands.'

But besides the charge of inequality interfering with symmetrical proportion, we are charged with having taken an unfair basis, and with having thus endeavoured, by undue means, to favour particular interests. Our answer is, that we took our measure from a well-known statistical book, as free from error and doubt as could be expected. Our adversaries say—'What an inconsistency you are guilty of when you take population as a test of the right to enjoy the franchise, and yet make the right of voting depend upon holding a house of 10*l.* a year;' but I will call attention for a few moments to the consequence of adopting a different course. We thought that there was an unfairness in the returns to the Tax-office of the number of houses of 10*l.* a year value, and we instituted some inquiries with a view to correct those returns, by sending persons into the neighbourhood of some of the boroughs who could inform us as to the real number of houses, which, according to our plan, would entitle the owner to the right of voting. The results vary so excessively from the returns to the Tax-office, as to establish that we were justified, in suspecting that they ought not to be taken as the criterion. I will mention a few. At Agmondesham, according to the Tax-office, there are only 25 houses of the rent of 10*l.* a year, yet the fact is that there are 126 such houses. At Ashburton, the Tax-office returns give 54, when there are upwards of 227. At Christchurch 80, when there are certainly 300. At Grinstead 26, when there are perhaps 150. At Shaftesbury 75, when there are at least 150. At Thirsk 75, when the real number

is 110. At Wilton 34, when there are 150. At Wycomb 200, when there are 446. And at Westbury only 14, when there are no less than 318. Also by the Tax-office returns, there were 67 boroughs under 300, while according to the enquiries made, we find 29 of these are above that number, and 23 of them above 200. In others the difference does not appear material, and in many places the collector values them at about two-thirds or three-fourths of the real rent. Now, in Tavistock, although, according to the tax return, the number is 284, the real number is found to be at present no more than 277. Let me show what might be said if we had taken the Stamp-office returns as our guide. We should be told that we had adopted estimates which are well known to vary according to the caprice of the tax collectors, who have each their partial friends, with whom they make arrangements that the taxes upon those persons shall not be too heavy. It would be said that, disregarding population, which would have furnished a safe rule, and adopting those estimates which we ought to know, if we understood the task upon which we had entered, were inaccurate and not to be relied on, we had disfranchised Tamworth, a town having 6,000 or 7,000 inhabitants, and preserved Tavistock, which has no more than 2,692 inhabitants—we should be told that we had chosen those estimates because they favoured our own partialities, although we could know nothing of their correctness. For these reasons, Sir, we have not taken so insecure a basis, which would have made us liable to such objections. It is quite clear to me, Sir, that there are two places which, according to the increase of their population, cannot be comprehended in the list on the score of population, and yet, as we cannot make up 300 voters, to leave the franchise with them would be giving the nomination to a few individuals. One of those places is Downton—and it is but justice to

Earl Radnor to say, that the noble Lord himself was the first to call our attention to the circumstances with regard to that town. Upon making the enquiry according to his suggestion, we found it to be our duty to except Downton from the rule which we had laid down, and to include it in the Schedule of disfranchisement. The other of those towns — St. Germains—is merely a straggling village, principally inhabited by fishermen, and comes under the same exception as Downton. We shall, no doubt, be told that in including those two boroughs in the list of the disfranchised we are in some measure departing from our own rules. I grant, Sir, that in these cases we have done so. But I think it is impossible to devise any rule to which, upon investigation, some necessary exception must not be made.

I believe, Sir, that I have now done with the exposition of our plan, and with the principal objections which may be brought against it. There is, indeed, one objection, Sir, and that a very comprehensive one, to which I have not yet alluded; that is, the question which may be put to us, as to what benefit we hope to confer upon the people by our plan of Reform. We may be asked, 'Will you relieve the distresses of the people by Reform; or will you not leave them precisely as they are?' But, Sir, I say that such a question is totally irrelevant to the matter. Sir, it might just as well be objected to my noble Friend's intentions to relieve the people by taking off the duty on coals, 'Oh, what signifies your reduction? It does nothing whatever towards improving the Constitution.' Any Gentleman might just as well arraign my noble Friend in this way as tell me that this Bill will not improve the condition or increase the comforts of the people. Nor am I one of those who would debate the theory on which such exceptions are founded. I am not one of those, Sir, who would hold out to the people vain

hopes of immediate benefit from this measure, which it could not realise. Neither am I one of those who maintain the opposite theory, such as is expressed in a well-known couplet, which I remember to have been once quoted by the late Lord Liverpool:—

> How small, of all that human hearts endure,
> That part which laws or kings can cause or cure.

Far am I from agreeing in the opinion which the poet has so well expressed in those lines. They are very pretty poetry, but they are not true in politics. When I look to one country as compared to another, at the different epochs of their history, I am forced to believe that it is upon law and government that the prosperity and morality, the power and intelligence, of every nation depend. When I compare Spain (in which the traveller is met by the stiletto in the streets, and by the carbine in the high roads) to England, in the poorest parts of which the traveller passes without fear, I think the difference is occasioned by the different Governments under which the people live. At least, Sir, it cannot be denied that the end attained by the two Governments of these respective countries is essentially different. Is it possible, indeed, for any intelligent person to travel through countries and not trace the characters and conduct of the inhabitants to the nature of their institutions and Government? When I propose, therefore, a Reform of Parliament—when I propose that the people shall send into this House real representatives, to deliberate on their wants, and to consult for their interests—to consider their grievances, and attend to their desires—when I propose that they shall in fact, as they hitherto have been said to do in theory, possess the vast power of holding the purse-strings of the Monarch, I do it under the conviction that I am laying the foundation of the greatest improvement in the comforts and well-being of the people. Let what will be

done, the laws of such an assembly will not be voted by men hurrying from the country, almost ignorant for what purpose, and arriving in this House at twelve o'clock at night, in time to give a vote upon a subject of which they have scarcely heard, and which they have never considered. In such an assembly the representatives of the people will consider, not with whom they are voting, but for what measure they vote. The measures of such an assembly will be deliberately weighed—and will be carefully designed to remedy the evils which may have been brought upon the country by bad laws, and to rescue it from their operation. When I am told that the Government of a country does not affect the condition of its people, I say, look to Ireland. What has caused the state of that country to be such as it now is? What but the want of due, kind, paternal attention on the part of its Government—a want of fellow-feeling in the Legislature with the great mass of the people? I say, then, that if we identify this House with the people of the three Kingdoms, if we give England, Ireland, and Scotland the right of having legitimate representatives in Parliament, however slow may be our progress—however we may be reproached by the factious for the tardiness of our advance in giving to the people all the rights and privileges they claim, we provide for carrying into effect the acknowledged principles of the Constitution, preserving undiminished the prerogatives of the Crown, the authority of Parliament, and the rights and liberties of the nation, guarded by the faithful representatives of a free people and the loyal subjects of a generous King. I move, Sir, for leave to bring in a Bill to amend the Representation of England and Wales.

SUPPRESSION OF DISTURBANCES (IRELAND).

March 1, 1833.

LORD JOHN RUSSELL said, on the last occasion when he spoke after the hon. and learned Gentleman (Mr. Harvey), he had complimented him on the candour with which he had avowed his opinions. He had to pay the learned Gentleman a like compliment on the present occasion. Notions and doctrines of a more extravagant nature were never advanced in this House, and if acted upon to their full extent, they would lead to the destruction of all property, to the revolution of all society, and to the annihilation of all order in the community. He confessed that the measure before the House was alarming and arbitrary in its nature, and that it could not be adopted without pain by any one who had imbibed a reverence for free institutions. He deeply regretted that it had been imposed on Ministers by a stern necessity; but being convinced of the existence of that necessity, they would not shrink from performing their duty, though it was the most unpleasant which could be imposed on them. He had resolved to address himself to this awful and solemn subject with calmness and temper; but he owned that the hon. and learned Gentleman's speech had almost shaken him from his determination. He could not believe his ears when he heard his right hon. Friend's (Mr. Stanley's) statement, which made so great an impression on the House, not less from the horrible detail which it gave of atrocious crimes, than from the eloquence and ability with which they were described, characterised as a 'silky representation.' Was it possible that the hon. and learned Gentleman had called the manifold murders and outrages which were unfortunately so frequent in Ireland, only thirteen cases of irregularity in Ireland? What, when men at their toil had been stoned in the fields—when

women were cruelly butchered in their houses—when children, even innocent children, were beaten and murdered by ruffians—were they to be told that such deeds were only 'irregularities'? The hon. and learned Member knew how to garble a statement with colours borrowed from that Bill of which he spoke, and had dismissed the long list of outrages with the appropriate title, no doubt, of 'thirteen cases of irregularity in Ireland.' Before he proceeded farther, he would make one or two observations on the Amendment moved by his right hon. Friend the Member for Lambeth, to adjourn the first reading of this Bill for a fortnight. In his opinion, it would be more in accordance with the character of legislators, and more consistent with their dignity, to apply themselves boldly to the present measure if it were requisite; or if it were not requisite, at once to put a direct negative on it. His right hon. Friend (Mr. Tennyson) had said, that this was not a question on which the Ministers ought to stake the tenure of their offices. On this point he entirely differed from his right hon. Friend. If the Ministers thought that they could not give protection to property—that the force of Government was insufficient to secure the lives and property of the King's loyal subjects, and called upon Parliament to strengthen their hands by further powers, he could not conceive a more degraded situation than they would stand in, if, after making that proposition, and after it should have been rejected by Parliament, they still remained in office. They brought forward measures which they considered necessary to enable them to carry on the Government, and Parliament was to decide between three things—whether they would allow the Government of Ireland to be in the hands of the midnight legislators, the Whitefeet—or in those of an individual, wielding the democracy of Ireland at his command—or whether they would assert and maintain it to be in the Crown and in the Parliament of a

united people? The hon. and learned Gentleman (Mr. Harvey) had prophesied that Ministers would fail in their attempt to carry the present Bill, and that a new Administration must be formed. The hon. and learned Member added, that he thought a Tory Government, corrected of its former errors, would be the best Government. He should not envy them their situation, supported as they would be by gentlemen who thought that the present Administration did not go far enough in the way of Reform. A Tory Government would find it a very difficult matter, in the present temper of the country, to carry on the affairs of the nation, and at the same time give satisfaction to those gentlemen. He would be ready to give them, as far as he consistently could, his support; and though they might be obliged, as in former times, to propose a coercive measure for Ireland, perhaps the hon. and learned Member (Mr. Harvey) would not be so disposed to find fault with them, if, having a clearer perception of his merits than the present Administration, they should have appointed him to some lucrative post. He thought it extremely probable that such a Government might reckon on the support of the hon. and learned Gentleman, even in a measure of coercion, though the present Government were not fortunate enough to obtain it. He had been diverted from what he had intended to say upon the Bill itself, and he should, therefore, be compelled to trespass longer upon the attention of the House than he had originally contemplated.

He should commence by referring to the state of Ireland in the year 1828, for when gentlemen spoke, as some gentlemen had spoken in the course of this debate, of the impolicy and injustice of legislating against an individual, it was necessary, for the sake of those who did not bear it in their recollection, to refer to the history of the state of Ireland for the few last years. The question of the

Roman Catholic claims was, as everybody knew, for a long series of years a matter of serious and violent dispute, both in Parliament and in the country. Whilst one side of the House gave to those claims constant support, the gentlemen who sat on the Ministerial side of it were divided upon the policy to be pursued regarding them; and the personal influence of the Crown was generally employed in creating and maintaining that division of opinion. The effect of the great measure of Catholic Relief being so long delayed was, that there came at last a period at which one individual was enabled to appeal, and to appeal with success, to the passions of the people of Ireland. The influence which that individual acquired by that appeal was exercised in a manner which constituted a case the most extraordinary that ever occurred in the history of any country. For many months an association held its sittings in Dublin, which organised branch associations, interfered in trials, directed public opinion, and all but governed the country. What was the consequence? At the end of that time, when Parliament reassembled for the performance of public business, the Ministers, who brought forward the question of Catholic Emancipation, thought it necessary to bring forward a Bill to put down the Catholic Association, and to arm the Lord Lieutenant with power to prohibit such associations in future. But that extraordinary power which had been acquired by one individual, and which had been held by him in consequence of the delay which took place in granting those claims, which ought to have been conceded years before, was not destroyed or done away with by that Bill. It was owing, he would say, to the good feeling of the people of Ireland that, out of gratitude to that individual for his exertions, they blindly did all that he recommended, and supported all the measures which he occasionally brought forward. He did not mean to say

whether it were from unwillingness to part with power, or from a desire to gain some greater object, or from the purer motives of patriotism, that that individual continued to recommend to his countrymen agitation for certain purposes; but he did mean to say, that the individual in question, the hon. Member for Dublin, had not the same success in his second career of agitation that he had in his first. During the first agitation this extraordinary case happened, that while the people were excited to the utmost, the public peace was preserved; and, as the hon. and learned Gentleman opposite had said, the perpetration of outrages was prevented by the existence of the Catholic Association. But when the second agitation commenced the result was not similar; on the contrary, wherever agitation was tried, outrages commenced of the most violent and detestable kind—outrages, which for a time the law was able to suppress, but which in the end overcame the law, and prostrated it at the feet of a ruthless and sanguinary rabble. It was in evidence before the Committee on the State of Ireland, that in many places where this agitation prevailed the Whitefeet were the same persons who attended the tithe meetings. They were ready to accept of agitation for one purpose—namely, to get rid of the tithe system—but they were also prepared to remedy their own grievances, which went beyond the tithe system, and extended in many cases to the ejection of persons from lands which they thought other parties were better entitled to hold. His right hon. friend near him had stated, on a former night, that of 150 outrages of this kind not one had been tried. He remembered that in the month of December last there had been scarcely one case of outrage committed connected with tithe, but many outrages of a different character. Yesterday he had received a letter, stating that on the night of the 18th of February, six or eight violent out-

rages had been perpetrated—all for the purpose of compelling persons to surrender land. They were told, however, that this was not political agitation: nevertheless, it had been set on foot by those whom political agitation had first moved—by men who, having been told that the best mode of obtaining a redress of grievances was to make resistance where resistance was legally due, thought it right to make resistance in other cases where it was not legal, by the commission of nocturnal outrages, robberies, and murders. Such being the state of the country, and his noble Friend, and his right hon. Friend near him, having entered into many details to illustrate it, the question was, how could they remedy such great evils? Could the House permit such outrages to continue? The hon. and learned Member for Tipperary was anxious, on grounds of humanity, that the Courts to be established under this Bill should not have the power of whipping. He gave the hon. and learned Gentleman full credit for his humanity; but was the House to have no humanity for those who were daily and nightly tortured by apprehensions of impending danger? Were they to reserve all their compassion for the authors, and not to retain any for the victims of these organised outrages?

He now came to the consideration of the Bill which his Majesty's Government had introduced for the remedy of these disorders. It was unfair to state that this Bill put down all meetings held in Ireland with the intention of petitioning the Legislature. It did no such thing; it merely gave the Lord Lieutenant the power of stopping such meetings, if he deemed it expedient, in counties or districts which he had proclaimed as disturbed. The clause of the Act which referred to this point referred to the disturbed districts only; and he might say generally, that it was only intended to prevent those meetings which were likely to be dangerous to the peace, and to stop the

progress of those evils which had now risen to so unfortunate a height. There were two provisions of the Bill which had met with serious objections. One of them was that clause which referred the trial of those offences to a military court, not establishing Martial Law, but giving the trial of offences at Common Law to a military tribunal. With regard to that clause, the proper point to be considered was this—'In what other hands can you better place this jurisdiction?' He had heard many suggestions in lieu of these military tribunals, and none better than this—that you should place this jurisdiction in the hands of a King's Counsel, and a Special Jury consisting of the gentry of the county.

He agreed with his hon. and learned friend the Member for Leeds in saying, that when it was necessary to deviate from the Constitution, he would rather have a measure totally unlike than a measure something like the Constitution. He confessed, that to him it appeared to be the most dangerous thing in the world to have the shadow of a free Constitution, and to lose the substance. He would briefly explain what he meant by that assertion. If, in an unreformed Parliament, it had pleased the House of Commons to say, that thirty or forty individuals should have the right of naming all the Members who were to sit within it, and that that right should be saleable in the market, there would have been no difficulty in showing that such an open mockery of representation was a violation of the Constitution, and must be altered. It was because individuals who only represented themselves came into that House as the representatives of the people, that the abuse became dangerous—that it increased to such a formidable height, and that it lasted so long, in spite of all the opposition which it had to encounter.

Now, what was proposed instead of these military tribunals? That the Judge should not be taken from

the ordinary Judges of the land, but should be taken from the King's Counsel or Sergeants, who were Judges in expectancy, and that the Jury should not be chosen from the common panel, but from the list of Special Jurors, — that is, you would establish a Judge without independence and a Jury without impartiality. That would be a shadow without a substance. For his part, he thought it much safer to have a tribunal completely different—and totally separate—from the ordinary civil tribunals of the country; because if the tribunal vested with these arbitrary powers at the same time had the name of a Judge and of a Jury connected with it, there might be an inducement to perpetuate the system, and to deprive Ireland of free institutions altogether. He would rather have a coercive measure that was unlike, than a coercive measure that was like the Constitution. He said the same with regard to the Habeas Corpus Act. If those who had first proposed the suspension of it had attempted to fritter away that suspension by limitations and mitigated modifications of it, we might not now be enjoying its benefits. It was because they suspended it altogether that the Habeas Corpus Act was now subsisting in all its power. It was because they gave the King power to the full extent to dispense with that Act, that we could now boast of its giving us at present not only the name but also the reality of freedom. For that reason he preferred the military tribunal to one nearer the common forms of the Constitution. Deeply should he lament to see the Judges of the land, or those who were likely to fill that high station, employed to try offenders without the assistance of a Jury. Nothing was better calculated to corrupt the minds of men than the accustoming them to have recourse to extraordinary powers. Military men were in the habit of deciding without the intervention of a Jury; but if they placed judicial characters, and those who were almost as

much engaged in judicial proceedings as the Judges themselves—he meant members of the Bar—in the situation of military men, who could say that those learned individuals would not get enamoured of their extraordinary powers, and say that trials without Juries were necessary for the ordinary administration of justice in Ireland?

He was afraid that, owing to the provision that no officer should sit upon these Courts-martial who was not of full age, and of two years' standing in the army, a false impression had been made upon the public mind respecting these Courts-martial. It appeared to be a general notion that these Courts-martial would be composed of nothing else than young officers, who had just attained their twenty-first year. This was about as erroneous as to suppose, that because there was an Act of Parliament declaring that no man should sit in that House for any borough who was not twenty-one years of age, and in possession of a qualification of 300*l.* a year, that House did not contain among its Members a single individual who was more than twenty-one years old, or who possessed more than 300*l.* a-year. He saw no reason why there should be any limitation as to the number of years during which the officer had served; he thought that if the officer were twenty-one years of age, it was enough, for a civilian at twenty-one was capable of serving upon juries; and he believed that the education of a young officer, from his station in life, was likely to be quite as vigilantly looked after as that of any ordinary Juryman who was called on to decide matters of life and death.

Another provision of the Bill, which had raised considerable objection, was that which gave the right of visiting and searching the houses of suspected persons. He felt this objection as strongly as any man, but its force was overcome by the fact that every gentleman who was either a native of Ireland, or connected with Ireland by property, thought

that this provision was absolutely necessary. Whilst upon this point, he would ask the House to remember what was the provision contemplated by the Committee which reported last year on the state of Ireland. The hon. and learned Member for Tipperary had told the House that the Committee had not recommended the suspension of the Habeas Corpus Act; but he had forgotten to tell them that they recommended the adoption of a measure by which, if a person was found absent from his home more than once, he should be held to bail for his good behaviour, and, in default of bail, should be liable to imprisonment. There was no need of a Jury to have him held to bail, and yet, if he refused to find bail, he must be committed to prison. These were the words of the Report: —'The warrant to be executed always in the presence of a magistrate, and the persons who may be absent from their houses to be summoned by the Court of Sessions, and if unable to give a satisfactory explanation to the Court of the cause of their being absent, a record to be made of the conviction of their absence; those persons who shall be found absent a second time, to give bail for their good behaviour for twelve months, and, in default of doing so, to be committed to the county gaol for one month.' He said therefore, most decidedly, that the opinion of the Committee was, that a person should be liable to punishment, without the intervention of a Jury, if he were twice absent by night from his home.

The hon. and learned Gentleman had told the House that the Lord Chief Justice of Ireland had stated, in his charge to the Grand Jury of the Queen's County, that the present law was sufficient for the repression of these outrages; but he had not told the House that the Committee did not agree with the Lord Chief Justice on that point, but were of opinion that other provisions were necessary. Now, an extraordinary case must have been made out before the

Committee, or the Members would not have violated the usual practice of Committees by making distinct proposals for the suppression of these outrages. The making of such proposals was almost invariably left by Committees to the Executive Government; but when we find a Committee, consisting chiefly of Members elected by popular constituencies, making such proposals at the very time when they were about to appeal again to their constituents, we must admit that the case must have been strong which had led them to so unusual a determination.

The hon. and learned Member for Tipperary had taunted him with inconsistency because he supported this measure now, after having opposed a similar measure some years ago; and the hon. and learned gentleman who had just preceded him had said: 'If such a law had been proposed by a Tory Administration, the Whigs would have risen in files to oppose it.' He hoped that both the hon. Gentlemen would listen to the answer which he was going to give to this charge. In the year 1822, on February 7, the Administration came forward and proposed the suspension of the Habeas Corpus Act, and the enactment of the Insurrection Act. They did so upon their own statement and upon their own responsibility: they asked for no inquiry, they reverted to no committee, but they introduced the Bill as the present Government had introduced this measure, upon the proper feeling that such a measure should be introduced upon their single and undivided responsibility. There was a discussion on the measure on Thursday, February 7; the Bill was then read a first time; very few persons divided against it; and he (Lord John Russell), feeling that the measure was necessary, did not come down to oppose it. When the debate was over, the late Lord Londonderry proposed that the second reading should take place that night, in order that the Bill might be committed and read a third time the next night, that it might then be sent in to the Lords on the Saturday, and after passing

through all its stages in one night in that House, be sent off without delay to Ireland. It was not read a second and a third time that day, but within a week both measures were passed and sent to Ireland. Now, if the Administration of the day had met with the opposition that the hon. and learned gentleman who last addressed the House had stated it had met, it could not have passed those Bills, for there were two of them, within the short space of a week. His opinion was—and he had always avowed it—his opinion was, that Acts of this description rested for their justification on the necessity of the case. He believed that if the hon. and learned Member for Dublin were in full possession of power, he would not be slow in producing a measure to suppress these outrages. The hon. and learned Member had admitted that the greatest sufferers by these outrages were not Protestants but Catholics, and had said, that he was ready to agree to any law which would make it a misdemeanour for a man to be absent from his house at night. If such were the case, what became of this charge of inconsistency and desertion of principle, so confidently made against his right hon. colleagues and himself?

The present was a case in which every man must judge, according to his honest conviction, whether these laws were necessary or not. If they were not necessary, let them not be enacted; but if they were necessary, he called upon gentlemen not to shrink from the duty which they owed to their country, but to pass them at once. Let them be assured that, whatever measures of concession, conciliation, or improvement might be necessary, that must be a great improvement which rendered life and property safe. Talk of men not obtaining employment! How could they expect to gain employment when the inland conveyance of goods on canals for the purposes of trade was interrupted in open daylight by bands of armed men traversing the country? From whom could employment come, except

from men in the possession of capital? And what capitalist would vest his capital in Ireland until he was certain that his property would not be destroyed, and his servants would not be murdered, in performing his business? If employment be wanted in Ireland, pass Acts to give it to the people; but do not fancy that you are doing your duty towards Ireland by refusing your consent to a measure without which, life and liberty would be left insecure, and made the sport of every miscreant or ruffian who may delight in blood. He was convinced that by subduing insurrection, while they maintained, as they ought, the authority of the laws and the dignity of the Crown, it would be confessed in the end, even by those who were averse to own it now, that they had been the best friends to the peace, the liberty, and the prosperity of Ireland.

DEFECTS IN THE REFORM OF PARLIAMENT ACT.

Wednesday, May 22, 1833.

Lord John Russell objected to the Motion, and trusted that the House would not adopt it. The Government had entered into a consideration of the doubts said to arise upon the face of the Reform Bill, and after carefully considering those doubtful points, and the difficulties stated to be thrown in the way of easy and cheap registration, they had come to the opinion that no alteration of that measure ought to be introduced in the present Session. They thought it better to give men who had been taken by surprise before the opportunity of registering their votes now, and they believed that many of the objections which at first sight appeared so formidable, would be found, upon trial, not to be so serious as was imagined. He wished the House to wait till the end of the next Session of Parliament, and see whether many of the objections now conjured up would not be found to be of no value or weight whatever.

EMANCIPATION OF THE JEWS.

May 23, 1833.

LORD JOHN RUSSELL was unwilling to lose the opportunity of declaring his approbation of the principle of this Bill. As a question of practice, he could not understand how the Constitution could be exposed to danger by the Bill. The number of Jews in England was 27,000; three or four out of them might be called to the Bar, five or six to inferior offices of State, and one or two to seats in that House; but they might be sure they would never hear from these latter any sentiments which would lead to the opposition of the peculiar tenets of the Christian and the Jewish religions. But although it was of no great importance as a question of practice, yet it was of great importance as a question of principle; for if differences in religious opinions were to lead to civil disabilities, they ought not to stop at exclusion from Parliament, but ought to go to the fullest extent—even to banishment and death. They should either adopt the principle in its complete application, or not at all. He had never seen any reason why a Jew should not fulfil all the duties of a citizen: why he should not act as honestly, bravely, and patriotically as any other English subject.

THE ADDRESS.

February 25, 1835.

LORD JOHN RUSSELL: Mr. Speaker,—After the speech made last night by the right hon. Gentleman opposite, I think it due to the House to give such explanations as I can afford of the conduct and intentions of the Administration of Lord Melbourne, of which, as well as of that of

Lord Grey, I had the honour to be a Member. Before I do so, however, I will state the reasons which induce me to support the Amendment of my noble Friend. Although no longer connected with office, yet as a Member of Parliament, anxious for the improvement of our institutions, I feel bound to provide that, notwithstanding the dismissal of the Ministry and the dissolution of the Parliament, the Reforms now to be proposed and carried shall not be less searching in inquiry, or less efficient in remedy, than those upon which it was the intention of the late Administration of Lord Melbourne to have asked the consent of the late Parliament. It is for that reason I am glad my noble Friend behind me has proposed an Amendment to the Address moved on the other side of the House. That Amendment I look upon as a necessary step on several grounds. I look upon it as necessary, because it embraces a declaration of principles on the question of Municipal Corporations, not contained in the Address—because it gives a pledge on the part of the House respecting the claims of the Protestant Dissenters—and, finally, because it touches upon that question which seems to be so carefully avoided in the long and elaborate speech from the Throne, namely, the abuses of the Irish Church Establishment.

For these reasons it is I give my entire support and approval to the Amendment of my noble Friend, and for these reasons I invite that portion of the House who desire to be classed in the ranks of Reform to join with my noble Friend in his endeavour to carry it. If the House of Commons mean to maintain Reform in the same place it was left by the Administration of Lord Melbourne at the period of their dismissal,—if they mean to assert that the exercise of the Royal Prerogative, which removed from power one Administration and caused the appointment of another—if they mean that the exercise of the Royal

Prerogative which caused the dissolution of one House of Commons and the election of another, should not deprive the people of the benefit of those Reforms which the late Administration and the late House of Commons have proposed to effect for them, let them now speak out in plain and decided language, and subjoin to the Address proposed by the Minister of the Crown those additions which the Amendment of my noble Friend contains.

Some Members, and among others the hon. Member for Knaresborough, are, I perceive, afraid of the consequences of this proceeding. They are alarmed at the possibility that, should they ask for a removal of all the well-founded grievances of the Dissenters, the dread of contamination so forcibly expressed last year by the right hon. Gentleman the Secretary for the Home Department, may induce him to resign his Seals of office. They apprehend that there may be some danger—supposing us to insist upon a measure of Corporation Reform, founded upon the demands of justice, and supported by the report of the Commissioners —lest the Lord High Chancellor, who has taken upon himself to assert in another place, that the greater part of the Corporation inquiry was illegal, and that the present Government were pledged to nothing more than the laying of the Commissioners' Report upon the Table, should, on our speaking out in our own language, our own sentiments, and those of our constituents, desert the Woolsack and abandon the Great Seal. Still worse, and in panic at the deplorable prospect, they dread that, should the subject of the Irish Church be mentioned, the whole Administration may go out. Well, Sir, I do not think we ought to forego these essential Reforms for the sake of keeping the gentlemen opposite in office. But I own I feel no such alarms I happen to have some slight experience of the conceding qualities of the party who are now in power. I have seen them before now trample upon petition, and

yield to demand. I have seen them, when the tide of popular opinion set strongly in favour of the Protestant Dissenters, grant a boon which, when that tide was less overpowering, they had denied. I have seen them, after refusing to the eloquence of Canning, the argument of Plunkett, and the prayers of millions, the measure called Catholic Emancipation, give way, upon force being thrown into the balance, and yield what they before rejected. I have seen also the same men, who opposed even the extension of the Elective Franchise to Leeds, Birmingham, and Manchester, afterwards ready, when the people from one end of the country to the other raised a cry for it, to concede nearly the whole of the Reform Bill.

And seeing all this, can I doubt that if we speak out to the Throne in clear and decided language, in the course of a short time we shall have on our table the Report on Municipal Corporations, that we shall have introduced to our notice a measure of Municipal Reform, and even that the difficult and dangerous subject of the Church of Ireland will receive a due consideration? I feel sure we have not arrived at the bottom of the concessions of the Tory party, and that there would be found by them something so urgent in the state of the question—something so pressing in the condition of the Representation of Ireland—something so appalling in the situation of society there, as to induce them sooner or later—and soon I hope it may be—to confess that their opinions respecting the Church of Ireland are to be added to their other errors, and thereupon to introduce a measure of full and just concession. Entertaining those opinions, I shall feel no hesitation in voting for the amendment of my noble Friend. Surely it is better that this House should speak its own language, and that, through this Address, their legitimate organ, the sentiments of the people should reach the Throne, than that they should take the chance of those various

subjects being made the means of exciting discontent in England, and something more than discontent in Ireland.

I now come to the observations of the right hon. Gentleman respecting the conduct of the new Administration. I believe, however, I must correct that expression; for it struck me, at the time I heard the speech of the right hon. Gentleman, that it was a defence of his own conduct, rather than that of those with whom he is connected. I will admit that there is much that I might have to object to the right hon. Gentleman's party in this House, and there is still more that I have to object to the conduct of the party in the House of Lords during the existence of the late Administration, which does not apply to the conduct of the right hon. Gentleman himself. I have spoken of the right hon. Gentleman elsewhere, as has been mentioned by an hon. Gentleman this night; and as I have done, I will again do him the justice to say, that since the Reform Act, on occasions when he supported the late Administration, his support was most effective, and when he opposed them, his opposition was fair and manly. But I made this remark with reference only to that period; because if I look back and consider what took place, as regarded the Timber Duties and the Russian Dutch Loan—to say that there was anything like fairness in the opposition of the right hon. Gentleman would be a most extravagant indulgence of candour. I must likewise declare, while I admit the right hon. Gentleman's opposition to have been fair and manly when he did oppose, yet when he felt the question to be one of great importance he had no difficulty or hesitation in avowing his direct opposition. At the period, for example, when the Irish Temporalities' Bill was before Parliament, my noble Friend the Member for Lancashire having declared that the Ministry would stand or fall by the success of that measure, the right hon. Gentleman voted against it in all, or nearly all its stages.

The right hon. Gentleman will also remember, that at the time when the Irish Church Commission was appointed he took an opportunity to declare that he had no confidence in his Majesty's Government; surely, then, the right hon. Gentleman will not find fault with me, when I declare that I want confidence in the Administration of the right hon. Gentleman. [*'Hear! hear!' from Sir Robert Peel.*]

I shall next speak to the facts of the last year. The Administration of Earl Grey came to a close in consequence of circumstances which he himself explained in the House of Lords. I merely mention now, in order to deny in the strongest terms, the rumour that his resignation was the consequence of any intrigue. The circumstances were unfortunate, but intrigue to displace Lord Grey had no part in them. The Administration of Lord Melbourne was formed, and the determination was taken by that Government to adopt, as nearly as possible, the principles on which the Administration of Earl Grey acted with reference to the questions which ought to be brought before Parliament. It was resolved to take into consideration the remodelling of the English Church; to lay before Parliament, as soon as the report was made, the state of the Irish Church; and Lord Althorp declared that early in the ensuing (that is the present) Session he should bring before Parliament the question of Corporation Reform. Such was the state of affairs when Earl Spencer died, and Lord Melbourne went down to Brighton to receive his Majesty's commands. The right hon. Baronet was right when he said that Lord Melbourne had declared he considered it essential for Lord Althorp to be a Member of the Administration; but, then, Lord Althorp was a Member of the House of Commons. I myself, among others, told Lord Melbourne that it would not be possible to form a Government with Lord Althorp out of the Ministry, while he remained in the House of Commons;

but when, by the death of Earl Spencer, it became necessary for Lord Althorp to go to the House of Peers, Lord Melbourne resolved that he would carry on the Government on the same principles as those on which it was formed, if he had his Majesty's permission to fill up the vacancies which had occurred. On that subject, I will just allude to what a noble Lord in the debate of the other night threw out against me. I was never solicitous for the honour intended for me, yet when it was the wish of all my colleagues that I should take a part in the new arrangements, I could not deny what they were pleased to deem a service to the Whig party, and to the cause of Reform. It did not, however, please His Majesty to give to Lord Melbourne the permission he required; the reason why, and the responsibility of the permission being withheld, rests with the right hon. Gentleman and the noble Duke. The right hon. Gentleman does not deny his part of the responsibility, but I believe the right hon. Gentleman has alluded only to those transactions which took place after his return to England.

I must, therefore, for a short time, occupy the attention of the House, while I refer to reports which have been circulated, intended to be injurious to the Melbourne Ministry, but which, more especially, alluded to myself. It was stated over and over again, and repeated almost within a few days, that I intended to deprive the Protestants of Ireland of the assistance of Protestant ministers, and that I proposed in a certain number of parishes to eject the minister, to alienate, or abolish the tithes, and to raze the Church. The whole of that statement is a complete fable. With respect to the Irish Church, it was a question which, as I have already said, it was considered necessary to bring under the consideration of Parliament; but the Member of the Administration who, during the recess, was entrusted to prepare the papers on the subject,

was Lord Duncannon, then Secretary of State, and I did not see those papers till they were out of the noble Lord's hands, and were printed. With respect to the suggestions of those papers, it is not now necessary for me to advert to them more specifically; but I will say, that their contents are entirely different from anything stated in the public rumours, to which I have adverted. With respect to another statement, that there was a difference between the Marquess of Lansdowne and Mr. Spring Rice and myself, I must say, that both previously to, and since, the breaking up of the Administration, it did so happen that there were none of the Members of the Cabinet whom I met so often, and with whom I held such frequent communications. I will also say, that if there were any of the Members of the Cabinet with whose views, feelings, and principles I better agreed than with others, Lord Duncannon, the Marquess of Lansdowne, and Mr. Spring Rice, were those individuals. I will go farther still, and without stating the details of any plan, or entering into any specific proposition, I can safely declare that a principle they were all agreed on was this—that the funds of the Protestant Church in Ireland ought, in the first place, to be applied to give religious instruction to the Protestant population; and when that object had been carefully and fully provided for, the Legislature had the right to apply any surplus that might accrue to the general education of the people, including Churchmen, Roman Catholics, and Dissenters. What would have been the specific plan proposed to Parliament, it is impossible for me to say, because the late Government maintained, and I think truly, that they would not submit any measure to Parliament till, by means of a Commission, they had fully ascertained the facts on which they were to legislate. [*'Hear, hear,' from Sir Robert Peel.*] I understand the right hon. Gentleman's cheer. I think it exceedingly improper, rashly and hastily,

that is to say, before they are aware of the facts, to bring a measure before Parliament; but I think, with reference to all these great subjects, that the use of Commissions is, that they enable Ministers, having first stated their broad general principles, to apply those principles correctly to the details. The right hon. Gentleman has left out of his speech altogether, which no doubt he has a right to do, any mention of those Reports; but I think it my duty to trouble the House with this detail, because, though since the meeting of Parliament, the rumours to which I have adverted, have to a great degree vanished, yet I cannot forget that they were stated with a view to disparage the Administration that had been dismissed, and with a view to influence the elections which were then about to take place. It was, no doubt, with the same object, that a noble Lord, a Member of the other House, wrote a letter, which was very extensively distributed in the country, and which I would now read to the House, did it not appear to me such disgusting nonsense, that I think I shall hardly be justified in so doing: suffice it to say, that he calls upon the people of this country not to desert their God and their King—and all this founded upon anonymous falsehoods! Amongst other charges against the late Ministers, is this one, that they were always lending themselves to the projects of the hon. and learned Member for Dublin—that they were always listening to his views, and bending to his dictation, with respect to Ireland. Now, however, when the case is to be stated to Parliament, the only proof given by the right hon. Gentleman of a want of general confidence in the late Administration, is a passage of a letter, in which the hon. and learned Member for Dublin, instead of flattering, showed his distrust of several Members of that Administration. These frivolous grounds, stated by the right hon. Gentleman, being set aside, and the rumours formerly circulated being false, I will ask, when was there

ever an exercise of the prerogative, for which so little reason could be given, as in this case? There could be no want of confidence in Ministers, on the part of the late House of Commons. The right hon. Gentleman admitted this last night, in his confession, that he could not have depended upon 130 votes in that House. Why, then, was the Administration dismissed? Had any dreadful war broken out? Was commerce declining? Was the internal state of the country disturbed? Did any extraordinary circumstances make it necessary to resort to that measure? The King's Speech came and contradicted all these suppositions. One half of it was filled with testimonies to the excellence of the measures of the late Administration—with testimonies to the prosperity of our manufactures, and to the good order in which the late Government left the country. And the other half of the Speech consisted of recommendations of a portion of the measures that the late Government had intended to propose. I say, then, that the right hon. Gentleman did assume office, and take upon himself its responsibility and the responsibility of dissolving Parliament, in a manner without precedent; for, let it be recollected, that the ground as to the state of the country being removed, and the rumours having been shown to be false, there was no reason why the country should be appealed to for the purpose of electing another House of Commons. There was clearly no ground why the displeasure of the King should be directed against the late House.

There was scarcely an instance of Parliament having been dissolved, without the Minister having previously met that Parliament. In 1784, Mr. Pitt encountered, what at this time of day would be called a factious opposition; the House was continually delaying and postponing the business of the country, and after a long trial, he appealed to the sense of the country, to learn whether his principles

were or were not approved. In other instances, Ministers in every case met the Parliament, and, having strength, but not sufficient, asked the country whether it would support them. He did not say, that the right hon. Gentleman was not in a very difficult situation. He admitted that the noble Duke having taken that step, which, he would say, was an unconstitutional step—investing himself and the Lord Chancellor with all the powers of the Government—and the right hon. Gentleman having nothing to do with that step, was placed in a situation of peculiar difficulty; for he could conceive the obloquy that would have attached to the right hon. Gentleman, had he declined the situation which was reserved for him. It would be well for persons similarly situated to the right hon. Gentleman, if his right hon. Friend, who is about to bring in a Bill to dispense in some measure with impressment of seamen, would introduce a clause to the following effect: 'That no person, under colour of the King's warrant, have authority to send a press-gang into the Pope's dominions, in order to press Prime Ministers, and that all such persons be allowed to pursue their journeys quietly to Naples, or wheresoever they pleased.' I believe the right hon. Gentleman, not having that protection, is in a situation in which he can scarcely avoid taking some share of the responsibility on himself. But then, why did he not call the late Parliament together, and state to them his measures and intentions? If his Ministry met with support, all was easy to him; if he ascertained that Parliament was factiously opposed to him, he could then have dissolved it; but if he had reason to believe that in opposing him, it spoke only the sense of the country, then all those difficulties which they had now to encounter, might have been avoided.

The right hon. Gentleman has declared to the House, the measures he intended to propose, but I do not think it possible for him to stand on that ground. It is the principle

of the right hon. Gentleman, that the surplus revenue of the Established Church in Ireland, should not be applied to any other purposes than those of the Church. Could that principle be maintained? With respect to the Church of England, I always felt that its solid ground of defence was, that it afforded instruction to the poor; but what was the advantage of the Church of Ireland in those districts in which scarcely a Protestant was to be found? The only benefit it could be said to afford to the Catholic population was that quoted by the right hon. Gentleman opposite, from Bishop Berkeley, of having resident amongst them a country gentleman in a black coat.

With respect to another subject which is mentioned in the Amendment—namely, that of Corporations, I think it is now absolutely necessary that we should declare some principle, from the establishment of which the country may know that we are going to adopt and abide by the principles of popular control, and vigilant superintendence over those funds which have been notoriously mismanaged and abused. If I be asked to place confidence in the right hon. Baronet (Sir Robert Peel) on this subject, I declare at once and without reserve, that it is wholly out of my power to do so. I cannot confide in the right hon. Baronet's friends; I cannot put my trust in the party with which he has long associated; and I cannot forget that the fortresses of their power—the strongholds to which they have clung most fondly during many years past—have been those very abuses of the Corporations which it is now the business of Parliament in its wisdom to amend.

The right hon. Baronet, Sir, has talked of an opposition upon this ground—an opposition which does not go beyond the opinions we entertained as Ministers, and which only binds us to measures going as far as our own measures would have done,—as an attempt to embarrass the present Ministers for party and factious purposes. Sir, if that right

hon. Gentleman will remember occurrences that are past, he will remember that he has been in office, and that I have been in opposition to the Government for many years; but I think he will not recollect that during the whole of that time I have been at all disposed to change any opinion I have once maintained or to qualify any opinion for the sake of offering an opposition to the Government. The right hon. Baronet says, and others say, that those who were most loud against the late Government, are now, like ourselves, attacking the present. Does this observation apply only to us? Are there not among the hon. Gentlemen whom I now see arranged upon the opposite benches some who opposed the right hon. Baronet with a far other spirit, and with a very different kind of bitterness from that with which the Whigs ever attacked him? I do remember when we were attending, night after night, in large numbers to offer him our humble support, when he was acting in accordance with our principles, that at the end of the evening the right hon. Baronet got up and called the House to witness that three-fourths of the debate had been occupied in personal invective. Personal invective! from whom? Why, from the very men who are now his staunchest friends and his firmest supporters. There was a comparison made at that time affecting the right hon. Baronet personally; he was described as a Protestant Jesuit, conceding measures which he allowed to be dangerous, and altering his course when he declared that he had not altered his opinion. Did that elaborate and severe comparison come from a Whig, or a liberal Member of Parliament? Did it not come from one of the high Tories?

There was another attack made upon the right hon. Baronet. He was accused, not of yielding the Catholic Question, but of not having yielded it to Mr. Canning, the conscientious and eminent supporter of the Catholic Claims. It was urged that the state of Ireland had not changed—

that the state of the Catholics had not changed—that the state of the House of Commons had not changed—and that the right hon. Baronet having no ground for his change of conduct, was offering an example which would destroy all confidence in public men. The orator who pronounced this strong and bitter philippic closed it by lifting up his hands and exclaiming—'*Nusquam tuta fides!*' From whom did this invective come? It came from the paymaster of the Forces. Why to be sure, it might be the Ex-paymaster of the Forces,—the Member for Devonshire. Was it? No, it was the present Paymaster of the Forces, the Member for Kent! And yet, after all this, we are to be told, that there is something strange and wonderful—something almost unprecedented—in our (with no change in our opinion) coming to the same vote with those who severely censured the late Government. I know very well, that there are many Members who differed from the late Government. Whether it was because the late Ministry did not go far enough, or that those Gentlemen were too impatient, is a question I will not raise again now. My opinion, of course, is the latter. I think they were going too quickly; they thought, no doubt, that we were moving too slowly. I really see no reason, however, why we should discuss that question in the present House of Commons, any more than I see why the right hon. Baronet, the First Lord of the Treasury, and the Paymaster of the Forces, should discuss the question, whether all confidence in public men has been destroyed by the conduct of himself and his colleagues on the Catholic Question.

Sir, I have but one more comment to make upon the statement of the right hon. Gentleman. He said, if I understood him—and I think I remember to have met with the same assertion before, couched in somewhat similar terms—that, under the present Administration, the measures proposed to this House are likely to be carried

without difficulty in the other House of Parliament. There really does arise upon this point a very nice and delicate question. That question is this—are these measures to be similar to, or are they to be different from, those measures, the announcement of which gave satisfaction to the country generally? If you say they are similar measures, you tell the country in plain terms, that the House of Lords will not agree to Reform measures unless they see in office a Ministry of their own selection. If the measures are to be different—if they are to be less effective measures of Reform, then are we told that we must yield to the House of Lords with respect to the measures themselves, and that that which we think necessary cannot be proposed to Parliament?

Sir, I have always been opposed to attacks upon the authority of the House of Lords. My own opinion has been, and is, that if measures, which had the cordial concurrence of the country, were sent up to the House of Lords, though they might have been rejected once, though possibly they might have been rejected twice, still the House of Lords would eventually yield to what was the well-expressed and deliberate sense of the people of this country. In thinking and saying this, I pay a due tribute to the wisdom, I pay a due tribute to the patriotism, of the House of Lords. I wish them to have their due part and share in the Constitution, but I cannot allow that that power over the House of Commons which was held by them indirectly before the Reform Bill was passed, shall now be restored to them to be used directly. Sir, I know that we are now placed in a difficult crisis—the consequence, I must say, of the events of November; because I do not believe that if Parliament had met at its usual time, with no interruption, any one would have thought for a moment that there was any difficulty in the case. But, without having had anything to do with the creation of that crisis, I must

say that we are all bound to see that it passes over with safety to the peace, and with safety to the institutions of the country; but, at the same time, with good effect, and with success to the reformation of the Church and State. If this House should yield too ready and implicit an obedience to everything that is suggested from the Crown, we may incur the danger of losing the just and necessary reforms we seek to obtain; if, on the contrary, we proceed too rapidly and impatiently in the exercise of our highest prerogatives to alter that which the state of the country and the welfare of the people do not require to be altered, we shall be deeply responsible to our constituents and to posterity for our act. That we may safely steer between these two dangers is my fervent prayer—and I think that if we send to the foot of the Throne the Address, as amended by my noble Friend, stating clearly, but stating respectfully, the Reforms which are required, we shall have done our duty to those constituents and that posterity; and that we shall not deserve either to be reproached with pusillanimous weakness on the one hand, or inconsiderate rashness on the other.

LONDON UNIVERSITY.

March 26, 1835.

Lord John Russell said, that when the right hon. Baronet acknowledged that the claims of the Dissenters to admission to Universities were well grounded, and when he said that those who did not conform to the Church of England should have an opportunity of obtaining academical honours, he wished that the right hon. Baronet had, at the same time, pointed out some way in which the House could have expressed its acquiescence in his opinion. But while the right hon. Baronet allowed the justice of

the claim under consideration, he did not point out any mode by which it could be satisfied. The right hon. Baronet could not say, that the Motion 'took him by surprise.' The notice was sufficiently long before the House, and time enough had been afforded for the production of the Memorial. If it were the opinion of the right hon. Baronet that some better, some more enlarged course should have been adopted, he had had full time for taking the matter into consideration, and for developing the plan which he should recommend the Government to adopt. The present position of the House with regard to this question, he begged to say, was not that in which it stood last year; because the Universities of Oxford and Cambridge having opposed the admission of Dissenters into those two Universities, and having succeeded in their opposition in the other House of Parliament, and having the power, by their rules and regulations, to exclude Dissenters, they thus stood forward and said, that not only should these persons be excluded from the ancient Universities, but that an institution which had been established at the expense of 150,000*l.*, and which was fully capable of teaching learning and the arts, should not have the power of conferring honours and degrees. This was deemed a grievance by the Dissenters, and ought to be remedied. The House had been told by the right hon. Baronet, who had argued the case with ability, that what the Universities objected to was, that the London University should confer the title of master and bachelor of arts. He knew that there was a certain degree of honour attached to these names, and that they conveyed with them the idea of proficiency and skill; but if new names were to be employed in the London University, for the mere purpose of making a distinction between the degrees which were conferred in Oxford and Cambridge, and those which were conferred in London,—and if the new names were not to

carry with them the weight attached to the old ones,—persons who were prevented from entering into the old Universities would still be deprived of those distinctions to which they were entitled, although they might be able to obtain all the academical honours which could be conferred by the new. The right hon. Baronet and the right hon. the President of the Board of Trade had referred to what had passed on this subject before the Privy Council. He (Lord John Russell) had been present at that Council, and he had heard with attention the arguments of his hon. and learned Friend near him (Dr. Lushington), as well as the hon. and learned Gentleman who had spoken on the part of the ancient Universities. The great objection appeared to him, and he believed all the Council thought so, to be not so much on the part of the two Universities as on the part of the medical schools of London, and he thought that the other schools of London would be entitled to confer medical degrees, if that power was given to the University of London. The Member for Bridport had said, that it would not be desirable to give the London University the power of conferring medical degrees, and the objection which he (Lord John Russell) had just stated was the principal ground of the proposed restriction. On the whole, the matter appeared to be of so much importance, that the Council did not come to an immediate decision. But he was surprised that the right hon. Baronet should have been ignorant of the fact, and should have believed that the Council had done nothing on the subject. Why, Lord Brougham had been employed almost constantly on the subject. A fortnight did not pass without his (Lord John Russell) receiving a communication from his noble and learned Friend on the subject of granting a Charter to the University of London, and how it could be reconciled with other institutions. During the noble and learned Lord's journey into Scotland, he

had been very much employed on this subject, and the noble and learned Lord had sent him a voluminous paper on the question. It was not a matter of ridicule or of scorn that a person of high legal station should occupy himself in advancing literature and science. He could say of Lord Brougham, that whatever were his political or legal pursuits, he (Lord John Russell) never knew a time when that noble and learned Lord did not evince the greatest anxiety for, and was not ready to devote a large portion of his time to, the advancement of science and of art. Then it came to this, that the late Government, and Lord Brougham especially, had been anxiously occupied in considering, first, whether it was possible to obtain the consent of the Universities of Oxford and Cambridge to Protestant Dissenters taking degrees in those Universities; secondly, if that failed, whether a charter should be given to the London University, to enable Protestant Dissenters to take degrees therein; and thirdly, whether any other large and combined plan could be devised which should extend to the London University and other schools; and he had not heard from the right hon. Baronet that there was any disposition on the part of Government to pledge itself to introduce a measure which would afford to Protestant Dissenters a prospect of obtaining the literary honours they naturally coveted. He might mention many names of men eminent for learning, though not endowed with rich pluralities, who were gratified by literary honours; he would only mention the name of one such, Dr. Lardner, who, at the end of his life, received a degree from a Scotch University, and acknowledged that it could not but be agreeable to literary men, whatever their religious tenets, to receive an honour of that kind. Protestant Dissenters who dedicated their talents to the fame of their country, and to the promotion of its literature, might, indeed, receive an honour from Scotland; but there should be a

place in England where they might obtain literary honours, although they could not sign the articles of the Church of England. He admitted that there might be some objections to the charter of 1831, and he wished the hon. Member for Truro had omitted some of his observations on it; but still, having no hope afforded him by the right hon. Baronet that Government would adopt any measure on the subject, and having to choose between two alternatives, he should concur in the motion of the hon. Member.

CHURCH ESTABLISHMENT (IRELAND).

Friday, March 27, 1835.

LORD JOHN RUSSELL said, that the right hon. Baronet the Chancellor of the Exchequer having asked him the other day as to whether he would give him an outline of the Motion which he (Lord John Russell) meant to make on Monday next, the answer which he would then make was, that he was not prepared to pledge himself to any particular words, or not to vary the terms in which he declared his intention to move; but his present intention was, to move that the House should resolve itself into a Committee, for the purpose of taking into consideration the expediency of applying any of the surplus revenues of the Church of Ireland not required for the spiritual care of the Members of that Church, to the religious and moral instruction of all classes of the community.

CHURCH OF IRELAND.

Monday, March 30, 1835.

LORD JOHN RUSSELL: — I rise fully sensible of the arduous task I have undertaken; but, although I am well aware both of the difficulty of that task, and of the re-

sponsibility I incur, yet the confidence I feel in the nature of the question I am to bring forward diminishes much of my anxiety, because I cannot but think that the clearness of the proposition I shall submit will compensate for any obscurity in the arguments I may use to enforce it. I am confident that the truth and justice of the cause will prevail though the weakness and incompetence of the advocate should be manifest. With no further preface, therefore, I shall enter upon the consideration of the subject of the Church of Ireland; and in doing so let me advert, in the first instance, to a Motion made on April 22, in the last year. The hon. Member for the City of Dublin then introduced a Motion for a Committee to inquire into the means by which the Union with Ireland had been effected, and as to the expediency of continuing it. The hon. Member was met by an Amendment in the form of an address to the Crown, which was carried by a large majority, and in the minority appeared only one Member for England, and no Member for Scotland. The answer to the Motion of the hon. and learned Member, therefore, was given by the Representatives of England and Scotland, supported by a great part of those from Ireland. The address was in these terms:—'We, your Majesty's most dutiful and loyal subjects, the Commons, in Parliament assembled, feel it our duty humbly to approach your Majesty's Throne, to record, in the most solemn manner, our fixed determination to maintain unimpaired and undisturbed the Legislative Union between Great Britain and Ireland, which we consider to be essential to the strength and stability of the empire, to the continuance of the connexion between the two countries, and to the peace, and security, and happiness, of all classes of your Majesty's subjects. We feel this, our determination, to be as much justified by our views of the general interests of the State, as by our conviction that to no other portion

of your Majesty's subjects is the maintenance of the Legislative Union more important than to the inhabitants of Ireland themselves. We humbly represent to your Majesty, that the Imperial Parliament have taken the affairs of Ireland into their most serious consideration, and that various salutary laws have been enacted, since the Union, for the advancement of the most important interests of Ireland, and of the empire at large. In expressing to your Majesty our Resolution to maintain the Legislative Union inviolate, we humbly beg leave to assure your Majesty, that we shall persevere in applying our best attention to the removal of all just causes of complaint, and to the promotion of all well-considered measures of improvement.'—This Address was carried by the House to the foot of the Throne, and his Majesty was pleased to return an answer in which he stated that he should be 'at all times anxious to afford his best assistance in removing all just causes of complaint, and in sanctioning all well-considered measures of improvement.' This was the answer of his Majesty to the claim in the petitions of a large portion of the people of Ireland, enforced by a Member of this House, in whom they had the greatest confidence, and who undoubtedly possessed abilities to place his arguments in the best and strongest point of view. In pursuance of this answer which was adopted by the House of Lords, and thereby became, as it were, a solemn compact between the Parliament of the United Kingdom and the people, given by the King, received by the Commons, and approved by the Lords, I am come before you to-day to represent to you what I consider 'a just cause of complaint' by the people of Ireland, and to induce you if I can to take a step to obtain a 'well-considered measure of improvement.' My complaint is that nothing of that sort has yet been done or attempted, and I have referred to this discussion, not only on account of

its strict connexion with my Motion, but because I think it ought to refute any answer to it founded upon some supposed danger, some distant apprehension, that what we may do to remove a 'just cause of complaint' and to adopt a 'well considered measure of improvement' with regard to Ireland, may have an injurious effect at some distant and indefinite time on one of the institutions of the country. I say you are not at liberty, after having agreed to this address, to put in that answer, and thus to bar a remedy. One of two things must be admitted: either you are prepared to do justice to Ireland—to consider her grievances, and redress her wrongs—or you are not. But if you tell us that your position is such, that any measure of that kind would be injurious to England, and dangerous to her Church Establishment, which prevents the remedy of the abuses of the Church of Ireland, you surely, then, have no right to say, that it is fit to enforce the Legislative Union. You are not to tell us, that you cannot listen to the well-founded grievances of Ireland, and are not prepared to do her justice, and yet insist on an adherence to the Legislative Union. I hold that such an answer would be most impolitic as regards Ireland, and most dangerous as regards the whole empire. I am one of those who think that, with perfect safety to the Church of England, you may remedy what is defective in the Church of Ireland, and, remedying that, may persist in your demand for the preservation of the Legislative Union. I own I cannot understand how any Members of this House can confess their inability to remove the grievances of Ireland, on account of a remote and contingent apprehension; and yet can maintain, as absolutely as I do, that the Legislative Union ought not to be disturbed. The state of Ireland has long been, and is now, a source of great embarrassment to every Statesman of this country. There is no doubt that the moral, no

less than the physical condition of that people, is one of great degradation. With respect to the physical condition—with respect to the poverty and distress prevalent in Ireland—if I were to bring forward a Motion on that subject, I should be obliged to state grounds for thinking that some measures were necessary, by assessment or otherwise, to lessen that serious evil. But that is a question of another kind, and for another day. The question which I have to consider is, the moral condition of the people, and how far the Church established in Ireland bears on that condition. Whether our Acts of temporary coercion—our Acts for enforcing the collection of tithes, and to compel the due administration of the law, have, or have not been effectual. There exists, as we unhappily know, a strong propensity to violence and outrage, not merely among a few lawless and ill-regulated persons, but among all, or nearly all, classes of the community. This defiance of the law arises from an opinion that the law is not fairly and equally administered. Dreadful acts of murder have been committed in various parts of Ireland. A murder has been perpetrated, at one time, on a clergyman of a most unoffending character, and at another time a Roman Catholic has fallen a victim to the animosity of those whom he had never intended to injure. It not unfrequently has happened that an individual, wishing to preserve the safety of his own person, has had more reason to fear the combination of those who set up against the law, than the ministers who execute the law. It has too often happened, that when Justice has raised her head, a stronger power has resisted her efforts, her balance has been destroyed, and her sword turned aside from its purpose by the intervention of a multitude. Every relation of life in Ireland, as Viscount Melbourne said in the House of Lords last year, has been, and still is, liable to be disturbed, by this lawless condition of affairs. The payment of rent, the hiring of land, the

settlement of wages between employer and servant, in short the conclusion of every bargain, has been frequently impeded by threats on the part of those who appear to have no concern with making the engagements, and to complete them would be attended with personal danger. If we look to the causes, although no doubt many might be named, yet we cannot help being struck by the fact, that there has been no time in the history of Ireland since this country obtained footing and do minion there, in which there was not some dreadful contest, something amounting to a civil war, and a state of law which induced the people to consider themselves rather as the victims of tyranny, than the subjects of just government. It has happened, by a kind of fatality, that those periods most remarkable and most glorious in English history, have been marked by indications of some new calamity in Ireland. While we justly boast of the Statutes passed in the reign of our First Edward, an epoch remarkable in our civil history, for Edward has been called the English Justinian, the inhabitants of Ireland vainly petitioned for a removal of those invidious distinctions which deprived them of the benefit of English laws. A similar remark applies to the reign of Edward IV. Throughout the reign of Elizabeth, when the Reformation was so prosperously completed, and when the glory of England was so resplendent, not only in arms, but in arts and literature, the Irish suffered the most grievous oppressions, and a new distinction was introduced, viz., that distinction of which I shall have so much to say to-day, brought about by changing the faith of the great body of the clergy, without the faith of the people undergoing the same change. Passing over the period of the Commonwealth, the great event of the Revolution, to which we look back with such proud and just satisfaction, was attended with new calamities to Ireland. New

distinctions were made, to the disadvantage of that unhappy people; and on the score of their religion they were suspected of an attachment to the monarch whom England had banished. They were accordingly visited by laws, which Mr. Burke truly designated as a barbarous code—they were proscribed, humiliated, and degraded, and treated as enemies both to the throne and to the altar. At the same time our ingenuity was tormented to discover modes of restricting the trade of Ireland with our colonies, and the progress of her internal improvement was industriously impeded. Such were the circumstances which in Ireland corresponded with the most glorious events of English history. Towards the end of the last and the beginning of the present century, a better era seemed promised to Ireland: many odious restrictions were removed, and she freed herself from bonds which had previously most unjustly confined her. The power of legislation was restored to her, and about this period some religious distinctions were removed, and she approached nearer to the enjoyment of equal laws and to the possession of civil rights. The conviction of a long course of injustice and suffering, which naturally impressed the minds of the people, induced them, even in this dawn of a happier day, to look a little into the cause of improvement in their prospects and condition. It was said by a Statesman, of no democratic turn, no lover of popular innovation—the late Lord Grenville—that concession to Ireland was always the result, not of kindness, but of necessity. Such was the case when, in the midst of the American war, with 80,000 volunteers in arms, England was obliged to make an appeal to Ireland. Such was the case in 1792, when the elective franchise, first obstinately denied, was at length conceded, because a French war was impending. Such was the case, I am sorry to add, since the period when Lord Grenville spoke, when Catholic Emancipation was reluctantly granted. That concession

arose out of no admission of the justice of the claim on the part of those who proposed it, but proceeded avowedly from the fear of civil war. The point having been yielded in this manner, it cannot be expected that the minds of the people of Ireland should be so changed as to be reconciled to their remaining disadvantages; ancient hatred and former animosities still necessarily prevail, and it seems to have been too often thought by them that what force once extorted, force could again compel. I now come to you, and ask you to legislate in a different and a liberal spirit. I come to you, to ask you, although the Reformation and the Revolution were periods of calamity and not of gratulation to Ireland, to make this era (when a Parliament has been assembled representing, I believe, fairly, the opinions of the united people) celebrated in her annals for its justice and impartiality, inspiring her inhabitants with better hopes, and laying the foundation of a lasting settlement. In considering the state of the Church of Ireland, I am obliged to look back and consider a question that has been of late a good deal mooted, viz. the utility and object of a Church Establishment. I am one of those fully concurring in the defence set up last year by one of our Prelates, that an Establishment tends to promote religion, to maintain good order, and I farther agree with him as to the fact that it is agreeable to the sentiments of the majority of the people of this part of the empire. But as a friend of the United Kingdom, I call upon you to consider whether with respect to the Church of Ireland you can set up the same defence? Does it tend to promote religion, or to maintain good order? On this part of the subject I will take the liberty of reading a passage from Archdeacon Paley, where he speaks of a Church Establishment. 'The authority of a Church Establishment is founded in its utility; and whenever, upon this principle, we deliberate concerning the form, propriety, or comparative excellency of different establish-

ments, the single view under which we ought to consider any of them is, that of "a scheme of instruction," the single end we ought to propose by them is, "the preservation and communication of religious knowledge." Every other idea, and every other end, that have been mixed with this, as the making of the Church an engine, or even an ally of the State; converting it into the means of strengthening or diffusing influence; or regarding it as a support of regal, in opposition to popular, forms of government; have served only to debase the institution, and to introduce into it numerous abuses and corruptions.' I agree also with a right reverend Prelate, who stated in one of his charges last year, that the 'avowed object for which the Church is established is the spiritual instruction of all classes of the people.' He adds, elsewhere, that the whole controversy is reduced to this—'whether the religious instruction of a nation is not more effectually carried on by means of an endowed and an Established Church?' That is precisely the question I propose to apply to the state of Ireland, and I ask whether this great object has been advanced by the mode in which the Church revenues are at present appropriated in Ireland—whether the religious instruction of the people has been promoted by the establishment of the Protestant Church? I will first consider what are now the revenues of the Irish Church as compared with its revenues in former times. Upon this point a passage which I shall beg to read from a letter of Archbishop King to Archbishop Wake, after the death of the Archbishop of Tuam, dated March 29, 1716, is instructive. He says, 'We have but about 600 beneficed clergymen in Ireland, and perhaps of these hardly 200 have 100*l.* per annum; and for you to send your supernumeraries to be provided out of the least of these, does look too like the rich man in Nathan's parable.' At that period, then, it will be seen that there

were not more than 600 benefices in Ireland, and the total revenue of the Church at that time, even including lay impropriations, was not more than 110,000*l.* Now, my hon. Friend (Mr. Ward), in his speech of last year, made a statement of the present revenues of the Church of Ireland, which has not been disputed, and the exactness of which I believe there is no reason to doubt. It is as follows: 'The total number of benefices is 1,456, of which seventy-four range from 800*l.* to 1,000*l.* a-year; seventy-five from 1,000*l* to 1,500*l.*; seventeen from 1,500*l.* to 2,000*l.* and ten from 2,000*l.* to 2,800*l.* which is the *maximum.* There are 407 livings, varying from 400*l.* to 800*l.* per annum; and 386 livings exceeding 200*l.*' I have before mentioned that the total revenue of the Church of Ireland in 1716 was 110,000*l.*, being made up of the sums of 60,000*l.* for benefices, and about 50,000*l.* for lay impropriations. Now, let us see what is its amount at present. I find it thus stated:—

'Tithe Composition	£534,433
Episcopal revenues exclusive of Tithes . . .	141,896
Deans and Chapters and Economy Estates . .	5,399
Minor Canons and Vicars Choral	5,183
Dignitaries, Prebendaries, and Canons . . .	6,560
Glebe Lands	68,250 at 15*s.*
Perpetuity Purchase Fund	30,000
	£791,721'

These are the present revenues of the Church of Ireland, so that in the whole they amount to little less than 800,000*l.* We therefore at once come to the question, whether this large sum has really been applied to the religious instruction of the people, or to whose benefit it has been applied?—whether, while during the last century there has been this enormous increase in the revenues of the Church, there has been a corresponding increase in the number of conversions to the Protestant religion?—whether the activity and zeal of the clergy have been such, and whether such has been their success, that

the greater portion of the inhabitants of Ireland have become attached to the Protestant Church, and whether this beneficial change has been owing to the instructions of its ministers? I am sorry to say, that the result has been the reverse. I am afraid that in the last century, although it is not so now, it was considered rather an advantage, that there were but a few Protestant clergymen residing on their benefices; as they had no glebe-houses, and no churches, they had a very fair plea for neglecting their spiritual duties. It is mentioned by more than one traveller, that such was the ordinary case, and even at a late date many of the clergy considered themselves rather part of a large political body, than as persons appointed for the spiritual instruction of the people. It has been stated to me by a reverend gentleman who has addressed me, and who once held a benefice in Ireland, that when first he went there he considered the character of the clergy of that Church very different from the character of the clergy of the Church of England. They had many very small flocks; they had difficulty in collecting their tithes: their attention was therefore too much absorbed by the means of collecting their tithes, and they did not partake of the character which does so much honour to the clergy of the Church of England. This statement was made to me by a highly respected gentleman, who held a benefice in Ireland for many years, and afterwards gave it up and returned to this country; and he mentioned an instance of a clergyman who thought himself aggrieved in being deprived of his benefice, because he would persist in holding a commission in a yeomanry corps. All the information that we have, and it is abundant, tends to show that such was formerly the actual condition of the Church. By Tighe's 'History of Kilkenny,' it appears, that the number of Protestant families in 1731 was 1,055, but in 1800 they had been reduced to 941. The total number of Protestants at the former period was 5,238, while the

population of the county, which in 1800 was 108,000, in 1731 was only 42,108 souls. From Stewart's 'History of Armagh' we find that sixty years ago the Protestants in that county were as two to one; now they are as one to three. In 1733, the Roman Catholics in Kerry were in the proportion of twelve to one Protestant, and now the former are much more numerous than even that proportion. In Tullamore, in 1731, there were sixty-four Protestants to 613 Roman Catholics, but according to Mason's 'Parochial Survey,' in 1818, the Protestants had diminished to only five, while the Roman Catholics had augmented to 2,455. On the whole, from the best computation I have seen, and I believe it is not exaggerated one way or the other, the entire number of Protestants belonging to the Established Church in Ireland can hardly be stated higher than 750,000; and of those, 400,000 are resident in the ecclesiastical province of Armagh. Without going into particulars, for which indeed I do not pretend to be prepared, it may be said, that in Armagh the numbers are seven or eight to one, and in other parts of Ireland the disproportion is larger. I have, however, an account relating to different dioceses, which I believe to be very accurate, and which I will state to the House. The noble Lord read several particulars, of which the following table is a summary:—

Dioceses.	Members of Established Church.	Roman Catholics.	Presbyterians.	Other Protestant Dissenters.	Total.
Ardfert	7,529	297,131	... ...	27	304,687
Down	30,583	61,465	101,627	3,557	197,232
Dromore	35,677	58,516	59,385	818	154,409
Kildare	13,986	122,577	9	334	136,956
Kilfenora	235	34,606	4	...	34.845
Killaloe	19,149	359,585	6	326	379,076
Leighlin	20,404	170,083	198	281	190,966
Lismore	8,002	207,688	164	382	216,236
Meath	25,626	377,430	671	199	403,926
Waterford	5,301	43,371	110	443	49,225
	166,492	1,732,452	162,184	6,430	2,067,558

Thus, in the diocese of Ardfert, the Protestants only form one-forty-first part of the population; in Down, one-eighth; in Lismore one-twenty-seventh: in Waterford one-ninth; in Killaloe one-nineteenth; and in Dromore one-fourth of the population. Thus, too, it will be seen, that while in some parts of Ireland the members of the Established Church form a considerable proportion of the population, and it is therefore held that they require a considerable number of clergymen, in other parts they form but a small proportion—so small that it cannot be necessary or right that there should be so large an establishment as in other parts of the country. Having shown that these are the general results with respect to the proportions of the population—and every one knows, that by no computation can the members of the Established Church be made to form more than one-ninth of the whole population—I may venture, with the less fear, to give some particular instances of the proportions which the members of the Church of England bear to the amount of money drawn from tithes, and applied to the spiritual instruction of a small portion of the people. The instances which I will state to the House are taken from a memorandum furnished by my right hon. Friend, the Member for Staffordshire (Mr. Littleton). They are as follows:—

Parishes.	Value.	Estab. Ch.	R. Catholic.
	£ £		
Taghmon	446 Glebe 50	133	2,920
Ballycormick	95	10	501
Ballynilty	82	21	390
Dunleer	153 G. 6	159	1,460
Drumcar	53	120	1,528
Monachebone	107	9	737
Moyleary	173 G. 30	13	1,148
Cuppog	120	1	530
Rathdrummin	82 G. 20	7	662
Carrickbogget	57	—	332
Port	142 G. 5	5	800
Ullard	280 G. 45	50	2,213
Graig	440	63	4,779
Ossory	62	4	107
Balsoon	69	7	313

This, Sir, will be sufficient for my present purpose. I believe that similar instances, without end, might be produced from the knowledge, and, I may say, the personal acquaintance, of gentlemen residing in Ireland. Their tendency is to show that there is a very large mass of the 800,000*l.* raised for the spiritual instruction of a small class of the people, while all the rest of the people derive no benefit whatever from that expenditure. I believe that more care and more attention have been given of late years, particularly during the last seven years, to the spiritual cure of Members of the Church of England, than have been afforded at a former period. I believe that, in this respect, the Church of Ireland now stands high, and that there are clergymen belonging to that Church who exert themselves to the utmost to afford spiritual instruction to the people. But we must not fall into the error of supposing that it is only necessary to build churches and glebe-houses, in order to convert men to the religion which we ourselves profess. There were times, perhaps—I know not whether it were so or not—when, by kindness and care, the English Church might have obtained a much more extensive footing in Ireland than it possesses now; but it is evident that, as regards a people so much attached to their own faith as the Roman Catholics are, you cannot hope, by merely placing a clergyman in a glebe-house, and advising him to preach every Sunday—you cannot hope that, by such means, any real advances will be made in their conversion. Everything contradicts such a supposition; and, if it were not contradicted merely by the present state of the facts, I am sorry to say, that what has occurred of late years would tend to diminish very much any such hopes that might have been entertained. It was thought fit some years ago to call together public meetings in Ireland, and to endeavour by controversy and dispute to bring over Members of the Catholic

Church to the Protestant Church. Now, Sir, I must say, that those who took this course acted in defiance of all history and all experience. I can well conceive, that in the case of a rich Church established in a country in which it was enjoying large benefits without attending properly to the cure of souls, individuals, even though themselves were in error, might hope, by pointing out the corruptions and defects of such a Church, to obtain many converts; but that persons belonging to a Church like the Church of England—that they, belonging to a Church so large, and maintained by tithes paid by the people generally who dissent from it—that they should attempt a sort of crusade against the voluntary leaders of men who support their own Church, and hope to gain the supremacy in the controversy, does show, I think, greater zeal and rashness than prudence or wisdom. What, Sir, was the consequence? It might have happened, that things might have gone on in their usual course; but this controversy being commenced, the Catholic clergy considered themselves attacked, and raised a spirit of resistance to the legal payment of that clergy to whom they were religiously and theologically opposed. I am far from thinking that that resistance was justified; still less do I think that encouragement ought to have been given to it. But I feel it to be my duty to place before you the facts—to acquaint you with the state of things which naturally resulted from what was attempted, in order that you may see that the effect was to throw an additional obstacle in the way of the success of the Church of England in its endeavours to win over a large class of the Roman Catholics to its spiritual doctrines. In the parish of Graig a system of violence was commenced, and it was said that the Roman Catholic priests advised the people not to pay tithes. If they did so, all parties must blame them. A Protestant clergyman, on the other hand, seized a horse from a tithe-payer who was

the Roman Catholic parish priest, and blame must be given to him for taking that course. I do think it is most lamentable, that instead of the clergy of the different persuasions recommending the mild precepts of the Gospel which they teach in common, they should have been the originators of disputes and strife; it is surely most lamentable, I say, that such differences should have been commenced by those who ought to be the ministers of peace. Unfortunately there has prevailed throughout Ireland, for several years, a spirit of resistance to the payment of tithes, so inveterate that no exertions of the clergy, and no efforts of the Government, have succeeded in enforcing the collection of them. The extent of the evil is admitted by all parties. The laws passed during the late Administration having proved ineffectual, the right hon. Gentleman opposite, the Chief Secretary for Ireland, the other night came down to the House, and, in his introduction of a measure relating to this subject, earnestly deprecated the use of military force for the collection of tithes. What, then, is the state of the Church of Ireland? You, in the first place, are unable to diffuse its spiritual and religious doctrines amongst the great mass of the people; and you have, in the second place, by your system of tithes, been constantly brought into collision with them. You have been constantly producing a state of things which, while it has led to the disturbance of the country, was irreconcilable with those spiritual objects for which the Bishop of London has said a Church Establishment alone ought to exist. Allow me, Sir, to call the attention of the House to the principle which the great authority I have quoted lays down. That authority states, that Church Establishments should be considered as the means of moral and spiritual instruction, and nothing else; the great object in establishing them was to be essentially useful. Bearing in mind what has occurred at Graig and Rath-

cormac, I would ask whether the great and permanent objects of a Church Establishment can ever be secured by your determining that funds shall be demanded for the purpose of enforcing the doctrines of the Church of England, and for no other purpose whatever. Well, then, what do I propose to do in this case? I propose that there should be instituted such a reform of the Church of Ireland as would enable us to adapt the Establishment to the spiritual instruction of those who belong to the Church, and that there should be no unnecessary surplus. If you adopt this principle, you cannot do otherwise than greatly reduce the Church of Ireland. I propose, therefore, that you should undertake this object, and that you should apply what shall appear to be the surplus in some way by which the moral and religious improvement of the people of Ireland may be advanced, by which their interests may be considered, and by which they may hereafter believe that the funds which are raised nominally for their benefit, are used for their benefit in reality. It is with this view, then, that I mean to propose this Resolution to the House, of which I have given notice. That Resolution is as follows: 'That this House resolve itself into a Committee of the whole House to consider the Temporalities of the Church of Ireland.' The House having resolved itself into a Committee, I shall move, 'That it is the opinion of this Committee that any surplus which may remain after fully providing for the spiritual instruction of the Members of the Established Church in Ireland, ought to be applied locally to the general education of all classes of Christians.' In proposing this course I feel that I am not doing more than the case requires. A similar course was taken in 1828 with respect to the Catholic claims, on the proposition of my hon. Friend the Member for Westminster. I beg leave to explain the view I take, because I shall thus answer the hon. Gentleman opposite who asked me in

what manner I intended to proceed. The Motion to which I have alluded, that the House should resolve itself into a Committee of the whole House to consider the state of the Roman Catholics, was carried by a majority of six. The Committee then did resolve that it was expedient to consider the state of the laws affecting the Roman Catholics, with a view to their final adjustment. It was then moved that the Resolution be sent to the Lords, in order that their concurrence might be asked. The Commons and the Lords held a conference on the subject, after which the latter fixed a day for the debate, the result being that the Motion for their concurrence to the Resolution that had been adopted by the House of Commons was lost. I now propose that this House shall resolve to go into Committee, and having gone into Committee, I shall propose a Resolution which will embody the spirit and substance of my present Motion. On that Resolution being reported, I shall move an Address to the Crown. I shall move that the Resolution be presented to the Crown, with a humble entreaty to his Majesty that his Majesty would be most graciously pleased to enable the House to carry it into effect. I think that this is the course which we took on the question of the 'Church Temporalities Act.' After that Bill had been read a first time, the question was raised whether we could dispose of the Ecclesiastical patronage of the Crown without the special approval of his Majesty; and it was decided, Sir, by your predecessor, that the question having been brought under the consideration of the House by the King's Speech, the Bill might be read a second time, but that, afterwards, it would be proper that a special message should be received. I call the attention of the House to that question, because I think the manner of proceeding which I recommend is the best, not only in point of form, but because I do also think that the only manner in which a satisfactory measure can be proposed to the

House, is by the concurrence of the Crown. In proposing this, I know not whether the right hon. Gentleman opposite (the Chancellor of the Exchequer) will think it proper to follow the course he took in 1829. After a Resolution had been carried by a majority of six, the right hon. Gentleman went down to the King, and informed his Majesty that the House of Commons had decided by a majority in favour of the Roman Catholic claims, and that the state of Ireland being such as to induce well-founded alarm, it was his duty to change his course, and to propose a measure of relief. Whether the right hon. Gentleman opposite will follow that precedent or not, I know not; but I do think that it is as competent to him to adopt such a course on the present occasion as it was for him to adopt the course he took on the Roman Catholic question. The right hon. Gentleman has, I know, stated his opinion on the subject, and that is an opinion which is against this proposition; but he has spoken in no more decided terms against it than he did with respect to the Roman Catholic question—a measure which he afterwards introduced. The right hon. Baronet, in his addresss to his constituents, which he professed to be a declaration of the principles on which he intended to act, stated, with respect to Church Reform:—'Then, as to the great question of Church Reform, on that head I have no new professions to make. I cannot give my consent to the alienation of Church property, in any part of the United Kingdom, from strictly ecclesiastical purposes. But I repeat now the opinion that I have already expressed in Parliament, in regard to the Church Establishment in Ireland—that if by an improved distribution of the revenues of the Church, its just influence can be extended, and the true interest of the established religion promoted, all other considerations should be made subordinate to the advancement of objects of such paramount importance.' The right hon. Gentleman stated his

opinion, in this very emphatic manner very soon after he took office. When subsequently the right hon. Gentleman was asked a question in this House, as to what he proposed to do in regard to measures resulting from the Commission now making inquiries in Ireland, he answered that he was not averse to any new distribution of the revenues of the Church, which would promote the interest and extend the influence of the Church; but any measure to which he consented, must be confined in its object to the promotion of the doctrines of the Church. In some observations upon the Tithe Bill lately brought before the House, in which the question of the appropriation of Church revenues was involved, the right hon. Baronet said, that he would consent to their application to their present purposes, but the amount must be confined to those purposes, spiritual and ecclesiastical, viz., those purposes for which the Church of England at present exists. Now, I do say, Sir, that the right hon. Baronet having stated his opinion thus broadly on this question, it is quite clear, that whatever may be the result of the inquiries which the Commission is yet to pursue, it is necessary that the House of Commons should come to some decision on that point, and either adopt or reject the principle adopted by the right hon. Baronet. If the House be determined to confine the revenues of the Church to purposes strictly ecclesiastical, it is better for that determination to be declared; but if the House is not of that opinion, it is certainly of no use for us to be passing through the different stages of the Bills for the commutation of Tithes. We ought, in my opinion, to proceed with that Bill, while this great question is unsettled--while it is yet unknown whether the Ministers and the House of Commons agree as to the question, or are at variance upon it. I think, Sir, that this consideration is a full justification of the course I take in proposing this Resolution to the House. It is quite clear that the late Ministry, or any

similar Ministry, on the Report of the Church Commissioners becoming known, would have been disposed to act on the spirit of that Report, and, if necessary, would have proposed to reduce the Church Establishment in Ireland. But the right hon. Baronet tells us at once, immediately on his assuming office, again on appearing in this House, and also in proposing the Tithe Bill—three separate times he tells us—that the Commission may go on prosecuting its inquiries, but he should care for its Report no otherwise than as it would enable him to effect a better distribution of Church property among the members of the Church; and whatever the nature of the Report, whatever the surplus, however extensive the reduction which the Protestant Church might bear consistently with the preservation of its stability, and the extension of its really beneficial influence, he has made up his mind already not to consent to forego the principle of maintaining the property of the Church to its present purposes. That being the case, it is quite necessary, as it appears to me, to come to some distinct Resolution on the question. It is for the advantage of every one—for the advantage of this country—for the advantage of Ireland—and, indeed, for the general advantage of the empire—that there should be, on this great and vital question, an Administration in harmony with the House of Commons, acting according to its sense. And if the right hon. Gentleman has the confidence of the House, or if his opinions and the opinions of those acting with him being adverse, he is prepared to take the course he took on a former occasion—in either case it is far better that at once we should come to some decision, and not be voting Supplies, and not going on night after night, and week after week, without knowing whether the Ministers of the Crown do enjoy the confidence of the House on this great question, or do not. Well, then, Sir, I think that what I have said will be

considered a sufficient answer to any argument that may be drawn from the fact of the Report of the Commission not being yet on the table of the House. The hon. Gentlemen opposite may say, that it is inconsistent thus to bring forward a Motion on this subject, without the Report being before us, and they are quite welcome, if they please, to throw those taunts upon us; but I think it sufficient to state in reply, that the state of the question has been entertained, that it is a question no longer open—on the contrary, it is one on which a decided opinion has been formed by the hon. Gentlemen on the other side of the House; and that decided opinion having been pronounced, it is quite necessary that we should ask whether or no the principle which we propose—whether the appropriation of the revenue of the Church of Ireland, or any part of it, to uses by which the people of Ireland generally can be benefited—will secure the sanction of the House. I come now to the question with respect to the purposes to which I would apply the surplus. The other night an hon. Gentleman asked me whether I proposed that any part of the money should go for the purpose of affording religious education to the Roman Catholics, on the principles of the Roman Catholic religion. My answer is, that I propose to adopt the principle acted on by the National Board of Education for Ireland. The measure, constituting that Board, was proposed by my noble Friend, the member for Lancashire; and, according to that measure, members of all creeds, children of all persuasions, can receive religious and moral instruction, and are brought up in harmony and at peace with each other. I have considered that, in the present state of Ireland, no measure would tend so much to its future peace, as the expending of large funds for the purpose of promoting education. From the earliest times it will be found that the Protestants have been desirous of improving the con-

dition of the people of Ireland by means of education. It was the object of the 12th of Elizabeth, chap. 1st. The preamble of that Act actually states, that much good is expected to result from the establishment of a good system of education in Ireland. But, in after times, and in times much later, there have been those who considered that it was of the utmost importance that instruction should be given to the people of Ireland in such a manner as would not interfere with their religious faith. In support of this statement, I beg the attention of the House, while I read to them the copy of a letter from the Lord Bishop of Clonfert to the Rev. Mr. Moore, of Boughton-Blean, near Canterbury :—

'Though I had not the pleasure of receiving your very informing discourse on Sunday-schools at the time you intended, I have since got it, and read it with the greatest satisfaction. It is an admirable defence and recommendation of this new Institution, which I hope will daily become more general, and produce the best moral effects, by impressing the children of the poor with a sense of duty and religion, at the only time and age when they are capable of impressions. A poor man's creed need not be long, but it should be struck in early, and a true and right one. If he believes, as the common proverb says, that he is to die like a dog, he will undoubtedly live like one. The communication of education is certainly a very great blessing to the poor; and had Mandeville, and they who, to serve political purposes, are for denying all instruction to the lower classes, only pushed their argument far enough, they might have proved that they had a right to maim, or put out the eyes of, the common people, in order to make them more manageable, and more in the power of their superiors. Having never seen the paragraph in the English papers concerning me, to which you allude in your appendix, I can say nothing to it; but what

I have endeavoured to do in my diocese, ever since my appointment, is this—there are twenty Catholics to one Protestant in it. To attempt their conversion, or to think of making them read Protestant books, would be in vain. I have, therefore, circulated amongst them some of the best of their own authors, particularly one Gother, whose writings contain much pure Christianity, useful knowledge, and benevolent sentiments. He wrote eighteen volumes of religious extracts, and died about the year 1696. Unable to make the peasants about me good Protestants, I wish to make them good Catholics, good citizens, and good anything. I have established, too, a Sunday-school, open to both Protestants and Catholics, at my residence in the country, have recommended the scheme to my clergy, and hope to have several on foot in the summer. Pastoral works, however, of this nature, go on very heavily in a kingdom so unsettled and so intoxicated with politics, as this is. I return you my best thanks for your obliging present.'

I cannot conceive, Sir, that funds intended for the religious instruction of the people can be misapplied when devoted to objects likely to make them good subjects of the State, and religious and moral. Objects of a similar kind were kept in view, when, in 1806, a Commission was appointed, which consisted of the Archbishop of Armagh, Mr. Grattan, and Mr. Edgeworth. After several years spent in inquiry, they agreed to a Report, in which they carefully laid down the principle, that any new system of education ought to be such as would not interfere with the religious tenets of any particular party. In an appendix to the Report, there is a letter from Mr. Grattan, who, in speaking of the sort of schools that should be formed, says, that they ought to be founded on more extensive and comprehensive principles. The Board for promoting Irish education is composed of the Archbishop of Dublin, the Duke of

Leinster, and others. I am sure that all must have heard that the schools of the kind established by the recommendation of that Board, have been conducted with the utmost harmony, and attended with the most beneficial effects—moral and religious instruction has been conveyed generally to the people without reference to one particular and exclusive creed. I come now to meet one or two objections which have been urged, but which I do not think well founded. The first is, the assertion of that principle, that the property of the Church ought not to be diverted from the uses of the Church to which it belongs. With respect to that principle, I am not disposed to go at large into the general question as to Church property being considered private or not. I am disposed to consider that question as Burke was disposed to consider the right of taxation over a colony, as he expressed his opinion in his speech made on the Motion for the conciliation of America. And I believe that if I were to attempt entering on that question, I should run great risk of overwhelming myself in that

> —— 'great Serbonian Bog,
> Betwixt Damiata and Mount Casius old,
> Where armies whole have sunk.'

Burke has also said, 'From the earliest considerations of religion and constitutional policy, from their opinion of a duty to make a sure provision for the consolation of the feeble and the instruction of the ignorant, they have incorporated and identified the estate of the Church with the mass of private property of which the State is not the proprietor, either for use or dominion, but the guardian only and the regulator. They have ordained, that the provision of the Establishment might be as stable as the earth on which it stands, and should not fluctuate with the Euripus of funds and actions.' Now I do not hold the opinion that this is private property, and that we can no more interfere

with the revenues of a Bishop than with the estate of an Earl. Mine, however, is not the doctrine of right hon. Gentlemen opposite. If they made their stand on the question of private right—if they said, that ecclesiastical property shall not be disposed of otherwise than as it was originally devised or distributed—I could easily understand them; but this is not their argument. They hold, that the State may distribute Church property otherwise than as at present; that the State, for example, can take from a Bishop, and give to a rector or curate. Does that doctrine, then, I ask, bear any resemblance whatever to the law which recognizes private property? Does Parliament ever proceed on that principle in the latter case, and say, 'There are 100 or 200 great proprietors in this country, and it is expedient that wealth should be more equally distributed?' If Church property be private property, we cannot, for a moment, stop to inquire whether the Bishop of Durham has too much. We are satisfied it is private, and we cannot touch it. On what principle, then, do we proceed, and to what conclusion does our proceeding necessarily lead? My noble Friend, the Member for Lancashire (Lord Stanley), proposed a Bill, which was passed into a law, and which diminished the number of Bishops in Ireland. The number was too great, and the funds were to be distributed—in what manner? To those next in order—to deans and chapters. But supposing there was enough for them, and still a surplus, what then? Why, then it was to be applied to rectors, to churches, and glebe-houses. But it might also happen, that the Bishops had too great a revenue still, so that there would be a surplus after all these objects had been accomplished. How is it possible to say, that we can redistribute this property, and yet not carry out the principle to its legitimate length, and distribute the surplus in a manner in which it may be most useful? On what principle do we go? Upon no other than this—that

it is useful for the purpose of religious instruction that there should be a redistribution. And what do we come to? To a principle totally distinct from, and at variance with, every law by which private property is affected. I maintain, we can only do that on the grounds of public expediency, of public right, and of public advantage. If, then, I show that public right, public expediency, and public advantage, require the application of some portion of those revenues to works of religious education and charity, where, I would ask, is the distinction between them? and how can the right hon. Gentleman pretend that he left that property more sacred than I do? I confess, that to my mind the right hon. Gentleman and his colleagues have no ground to stand upon, and I cannot see how they keep themselves out of the Serbonian Bog to which Mr. Burke alluded. On the one hand, they may stand on the notion of private property, and maintain the ecclesiastical revenues intact and inviolate to their original destination; or, on the other hand, admitting the right of Parliament to interfere, they must hold that, for the benefit of the subjects of the realm, for their religious instruction, for the well-being and harmony of the State, it may so interfere. But there is no resting between the two propositions; to say, that it should be partly distributed, and partly kept sacred, partly interfered with for public objects, and partly considered private property, does seem to me to couple, in one proposition, the utmost absurdity with the utmost inefficiency. Sir, I do hope that hon. Gentlemen opposite will grapple with this great question on clear and intelligible grounds. I must protest against any proposition not founded on distinct and known principles, and which does not tend directly to the good of the State. But we are told, in defence of the present mode of applying Church property in Ireland—that the greatest number—fifteen to one, it is said—of the owners of the land in fee—are members of that

Church. Sir, if I could fancy that any one would hold such a doctrine as this—that a Church Establishment was intended originally for the exclusive benefit of the rich—that spiritual instruction should be given only to men who had an estate of inheritance—that none but a man who possessed a freehold estate should be entitled to the comforts and consolations of religion—I could then understand the argument to which I have alluded; but when I refer to any of the great authorities I have quoted, who cannot be questioned or repudiated, and when I find it laid down that a Church Establishment is intended for the benefit of all classes, and more especially for the benefit, the instruction, and consolation of the poor, it is not enough to tell me, that those who originally contribute the sums which constitute the revenues of the Church are Protestants and members of that Church; for I am bound to look at the effect of the payment of tithe, on the whole, as a system. Besides, on whomsoever the charge of maintaining the Establishment may fall ultimately, it is perfectly notorious that those, on whom, for the most part, the tithe is levied, and on whom it first falls, are members of the Roman Catholic faith. The right hon. Gentleman (Sir Henry Hardinge) stated to the House the other evening, that sums were collected every day, and will continue to be collected as long as leases are in force, of 6*d.*, 4*d.*, and 1*d.* from those who do not belong to the Establishment—from which, indeed, they derive no benefit whatever. The alleged circumstance, then, that the original proprietors of land happen to be members of the Church, ought not to be an objection to the proposition for which I contend. On these grounds, and unaffected by those objections I have noticed, I am prepared to move the Resolution which I call on the House to sanction and affirm. I do think, that if—without adopting some such course as that which I venture to recommend—we pass the Tithe Bill in the shape in which it has been

proposed, appropriating solely to the benefit of the Irish Church all its existing revenues, we shall neither obtain peace, nor act ultimately for the harmony and advantage of Ireland. I believe that the Irish people have warm affections, and are strongly attached to those who confer any benefit on them. Notwithstanding those outrages and acts of violence to which I referred in the commencement of my speech, it is a singular fact, that no traveller ever goes into Ireland who does not declare that he has been received every where, by the poorest peasant, not only in the most hospitable manner, but with the utmost friendly and open-hearted kindness. Those who do not belong to Ireland, but have lived in that country, have assured me, over and over again, that the gratitude, and the overflowing of the affection of the peasantry towards those who manifest kindness towards them is very great. Such being the feeling, and such the conduct of that nation to individuals, the House has now an opportunity of earning that gratitude and making that affection its own, by asserting the principle for which I contend, and by thus doing justice to the people of Ireland. We have now the power of acting free from fear—free from any compulsion; there is no fear of foreign war before us, nor of civil war in Ireland. It is in our power at length to settle and gain the affections of that country, to silence the question of a Repeal of the Union, to gain the tribute of grateful homage from a people so warm-hearted, so eminently brave and loyal; while we shall, at the same time, have the satisfaction of reflecting, that in doing justice to Ireland we shall have contributed more, than by any other measure we can adopt, to the future prosperity of the empire, making her unconquerable by her enemies, and an example of religious liberality to the rest of the world. I shall now conclude by moving, 'That the House do resolve itself into a Committee of the

whole House, to consider the Temporalities of the Church of Ireland.'

July 23, 1835.

LORD JOHN RUSSELL was sure, after the length to which the discussion had been carried during a debate of three days, that the House must be anxious to come to a decision, and manifest its opinion respecting the Question before it. He should, therefore, state his view of it in as brief a compass as he could. It was not his intention to follow his noble Friend through all the details of his speech. There were parts of it which, for the present at least, he should not touch, though, perhaps, he might advert to them hereafter; he alluded more particularly to the latter part, in which his noble Friend trenched on the Orders of the House, and used language which certainly was not parliamentary. In justice to the King's Government, of which he had the honour to be a member, he must say, that they had brought forward this question soberly, calmly, and after long and serious deliberation; considering that it was necessary for the settlement of a long-disputed question—considering that it was a measure necessary for the peace of Ireland—considering that it was necessary for the security of the Established Church in that country, and for the advancement of religion itself. Acting upon these views, and entertaining these opinions of the measure, it was not for his Majesty's Ministers to say, whether there might be in that, or in the other House, such a number of Members adverse to the measure as might be able to defeat it. If Ministers believed the measure to be required for those great objects which it was their duty to consult, if they entertained an honest and a conscientious opinion of its propriety, it was not for them to shrink from the assertion of their opinion, on being told that some persons in another House of Par-

liament were of a different opinion, and that the Bill would not be allowed to pass elsewhere. Was he to be told, that in either House of Parliament, there was a body of men so determined in their opposition to this measure, that no force of evidence, no power of argument, no consideration of prudence, no regard for the welfare of the kingdom, would induce them to listen to any terms, or to come to any compromise; but that, before the question had gone through a Committee of the House of Commons, it had been pre-determined that the King's Ministers should not have the power to pass the measure? If there were no other objection to such language, it was at least not decorous towards the House of Commons; it was a libel on the other House to state that it would not listen calmly to every thing which was said on the question. He would assert, that if the other House rejected the Bill, it would not be rejected without due examination. He could not believe that the other House, before the Bill had gone through its preliminary stages in that House, had made up its mind to reject it, without examination, without entering into any of its provisions, without looking into the Report of the Commissioners which had been laid before them; or that they were pre-determined to reject it, so that to them, at least as far as this Bill was concerned, should not belong the character of a deliberative body. He could not believe the other House would be induced to take such a course, though such was the import of what his noble Friend had had the condescension to declare to the House, as a reason to induce them to forego any further consideration of this measure. It was not his intention at that late hour to enter into those parts of the subject which several hon. Members had already gone into, and it was the less necessary, as, with the exception of one hon. Member, who made a speech upon the Poor laws, which had no relation to the Question before the House,

the whole of the discussion had been conducted, on both sides, with great ability and research. There was one thing, however, which fell from his right hon. Friend, the Member for Cumberland, that hardly seemed to come properly into the discussion—he meant the Address which his right hon. Friend read from the Synod of Dumfries; an address in which the addressers thought fit to menace the Sovereign with a defection of their allegiance, if the Legislature adopted this measure. Why, if any Roman Catholic agitator had presumed to say, that if this Bill did not pass, the allegiance of the Roman Catholics would be dissolved, with what invective would not the right hon. Baronet have denounced the presumption, the boldness—nay, the treason of those by whom such an assertion was made? However, with regard to these good, well-nominated, and well-subsisted members of this Presbyterian Synod, he thought their words might be turned aside as a mere empty menace. Now, the main Question at issue, or, at least, one of the main Questions, was that to which, he thought, nearly every Member on the other side of the House had paid little attention; that Question was as to the state in which we stood with respect to the collection of tithes in Ireland. This had been a frequent subject of discussion, and was peculiarly so when his noble Friend (Lord Stanley) introduced his Bill on the subject. The object of that Bill was to make composition of tithes compulsory. It was his noble Friend's and his own opinion, that by passing that Bill they should secure the collection of tithes. At the end of the discussion of that measure, his noble Friend and himself stated their opinions upon the Question of Appropriation—his noble Friend stating, that he never would consent to alienate any part of the Church property, and he stating, on the other hand, that he thought the property of the Protestant Church was too great for the spiritual care of its members, and too great

for its own stability. In the following year further attempts were made to collect tithe. But instead of persevering in those attempts, it was thought necessary by the Government of which his noble Friend was then the organ, to make a proposal to this House to give a million to the Irish clergy. From that time there had been no regular collection of tithe; and a Bill was introduced last year for the purpose of still effecting that object. But did that Bill, separated from the Question of Appropriation, succeed? The sum to be paid to the clergy was diminished—diminished, as he thought, too greatly—by a division in that House, in which the Government were in a minority. The majority of the House said, 'that without a very great sacrifice—that of 40 per cent.—they would not pass a Bill for the collection of tithe.' That Bill was thrown out in the House of Lords; and he thought it must now be a matter of regret to many that it was so thrown out. But did the Government succeed afterwards in collecting the tithes? A right hon. and gallant Officer just now in the House (Sir H. Hardinge) said, there was nothing so much to be deprecated as the use of military force in the collection of tithes; and that he himself did not believe that the House would give its sanction to it. That right hon. Gentleman then introduced a Bill not containing any provision respecting the appropriation. Upon the introduction of that Bill, he had moved the Resolution to which so much reference had been made, 'that any surplus not required for the purposes of the Church should be applied to the religious and moral education of the people, without distinction of religious persuasion.' The House adopted that Resolution, and another Resolution which followed, in which it was stated, that no measure on the subject of tithes in Ireland could be final or satisfactory without embodying the principle contained in the first Resolution. It was necessary to

advert to these Resolutions, because it would be seen at once that the proposition now before the House was to undo that vote, and to induce the House to separate the two measures, and to say that the one measure approved of by the right hon. Baronet should pass, and that the other should be totally rejected. His belief was, that if they attempted to collect tithes without adopting the Clauses respecting appropriation, they would have to encounter greater obstacles than ever. The collection of tithes by law had not succeeded; and the attempt to collect tithes by military force had led to lamentable results. Looking then, at the Question which his noble Friend put at the end of his speech, he would ask if they did not adopt this Bill, but adopted a separate Bill for the collection of tithes, would his noble Friend be able to make that collection with peace? Did he believe that, if he or any other man were now in the Government—after the Resolution of this House, after the strong opinion it had pronounced—it would be easy or practicable to collect tithes in Ireland without an immense augmentation of the military force, and without coming down to that House for increased supplies, and further measures of coercion? Nobody could believe that, after the Resolution the House had passed, it would be ready to enter into any such contest, or that it would declare that, for the sake of that principle which his noble Friend had stated, and which his right hon. Friend (Sir J. Graham) had also advocated, but on which they had received little support from the right hon. Member for Tamworth, Parliament would go into such a contest; and provided they could see the tithes collected, and the Protestant Church in safety, they would carry on the present system for the sake of the principle, that no part of the Church revenue should be appropriated to other than what they termed Ecclesiastical purposes. His noble Friend, and his right hon. Friend,

thought the present revenues were not more than sufficient for those purposes, and that the object of an Established Church was to propagate that faith which they believed to be true, and that it was not the duty of the State to countenance the distribution of those revenues to other purposes. Now, he confessed that he took the view which his noble Friend (Lord Howick) had so ably advocated as to the duty of the State with regard to a Church Establishment. A Church Establishment was a means to an end, and he considered that end to be the promotion of good government, and the religious benefit of the whole community. On this question he could not leave out of sight the fact that there were 6,500,000 Roman Catholics in Ireland. He could not talk of providing for the religious wants of the community without considering that there was that large body of people, being a great majority of the people of Ireland, separated from the Established religion. If the House meant to reach them, and to inculcate religious instruction into their minds, and teach them those parts of the Christian faith common to all, they could not do this by preaching in the Established Church, and, therefore, they must appropriate some part of the means to instruct them in that way alone in which they could participate in the benefits it was intended to confer. This was the calm and proper view to be taken of the subject by a Statesman. When, therefore, he saw 3,250,000 Catholics, and only 150,000 Protestants in one province, he could not consent that the revenues derived from that province should be exclusively devoted to the religious instruction of the 150,000 Protestants, and that nothing should be contributed towards the religious and moral instruction of the three millions and a quarter of Catholics. But in making provision for the instruction of Catholics, he would do it in such a manner as would leave an ample fund to supply all the spiritual wants required

by the Protestant Church. The Protestant Establishment in Ireland was sanctioned by the Act of Union, and was connected in a great degree with the property of the country; he therefore wished it to remain an Established Church. He did not enter into the views of those who said that there ought to be a Roman Catholic Church established in Ireland. He should think it a great misfortune to this country, and a source of deep regret, if there were such an Establishment. He believed the great majority of the Catholics in Ireland did not seek for any such measure. He believed that the great body in this country, not only members of the Church, but all the Protestant Dissenters, would be opposed to any such measure. He was bound, therefore, by his views of policy, not to attempt to introduce the Roman Catholic Church into Ireland. But this he might do; he might provide for the Protestant Establishment what was sufficient for her wants; and he might then have a surplus revenue applicable to other purposes, among which he regarded as the most important the providing moral and religious instruction for the Roman Catholics in Ireland, by which they might become better Christians, and better members of a civilized community. There was a great fallacy, he contended, in the argument of the right hon. Baronet, which he derived from his calculation of the number of benefices and Protestants throughout Ireland generally. He had a different calculation in his hand, which he had reason to believe was much more correct than those to which the right hon. Gentleman had referred. He found that the income of the archbishops and bishops amounted to 128,800*l.* in round numbers, that of the deans and chapters to 10,900*l.*, the tithes belonging to the parochial clergy 470,500*l.*, after deducting five per cent. on benefices. There was then the value of glebe lands, which, with ministers' money, might be taken at 85,000*l.* If

they fixed the income of 627 benefices at 200*l.* a-year, of 229 at 300*l.* a-year, and of 259 at 400*l.* a-year, there would be, after all deductions, a much larger surplus than even that on which they had calculated. But his right hon. Friend, the Member for Cumberland, said, 'I cannot conceive that we can have a Church Establishment unless the means of religious worship are brought to every man's door.' If that were correct, then he must say that we had not had what the right hon. Baronet would call 'a Church Establishment' in Ireland for many years, for most certainly it had not had the effect which his right hon. Friend thought essential, of carrying the means of religious instruction home to every man's door. He could show his right hon. Friend unions of parishes, in which the Church was distant from its communicants, ten, fifteen, and twenty-five miles. There were fifty benefices in Ireland, in which the whole number of Protestants was 526; in these benefices there were seventy-nine clergymen, sixty-nine of whom were non-resident, and in forty-two of them there was no church at all; yet the total amount of their tithe-revenues was not less than 13,889*l.* Making out this calculation to the utmost extent, he found that the amount of revenue derived from these benefices was in the proportion of 125*l.* for every Protestant inhabitant. In another union of parishes, the number of Protestants was seventy-three, and the income 3,700*l.* Which, he asked, were the truest friends to the Church, those who would build places of worship, and provide instruction where Protestants were resident, or those who would continue the present system with all its anomalies? But they were told that they ought to build churches, even where there were no Protestants now, and that congregations would come to them. That might have been wise some thirty, or forty, or fifty years ago, but that opportunity was let go by unheeded; and, like

the man who could have passed the sands while the waters were low, but who delayed till they rose, there was now only the waters on one side, or a precipice on the other. But his noble Friend said, that no deduction of revenue should be made where there was now a church and a clergyman. He would take the case of Rathfriland, where there were a church and a clergyman; but there was not one Protestant inhabitant, though there were 1,400 Catholics. Was that a case in which they ought to keep up an Establishment and a resident clergyman? His noble Friend had referred to the cases of Collon and Dundalk, and pointed out the evils which would result from separations of some of the unions; but these separations had been recommended by the Commissioners, who were all members of the Established Church. It was said, however, that if they adopted this Bill, they must go farther. He asked those who urged that argument, 'If we do not sanction the principle of this Bill, can we continue as we now are?' For his part, after the best consideration which he could give to the subject, he had no hesitation in saying, and he believed that in this he spoke the sense of the great majority of the House, that the time for applying the remedy to these evils had arrived. That remedy his Majesty's Government had proposed, and to it they now asked the sanction of Parliament. If they passed this measure, they would render the collection of tithe practicable in Ireland, and give the Established Church in that country a degree of permanent security and stability which it never before possessed. The Roman Catholic inhabitants of Ireland would at length consider that their interests, their wishes, and their feelings were not wholly neglected by the Legislature of the United Kingdom. They would at length believe that they were objects of some care and consideration with the Imperial Parliament. That the measure

was not perfect he admitted; but did his noble Friend think they could rest as they were, without some such Bill? Did he think it possible, without some such measure, to support the Established Church in any form whatever? If this measure were refused, it would be utterly impossible to continue the tithe system, a system which, as now carried on in Ireland, was so repugnant to the principles of justice, and so opposed to the feelings of the great majority of their fellow-subjects in that country. Without going the full length of the principles of this Bill, it would be utterly impossible to collect tithe in Ireland in any shape, and the attempt would be productive of such scenes as the right hon. and gallant Officer, the late Secretary for Ireland, so strongly deprecated. They who said that the collection of tithes would be practicable without this Bill, must also say, that 'the sword which was hitherto glued to the scabbard is now withdrawn.' Could they look calmly at the consequences? If this Bill were rejected, those who refused it would probably have another Bill pressed on them at a future time, which would perhaps go much farther; and then there would be unavailing regrets that the present measure was not adopted in good time. Let him, in conclusion, impress upon the House, that after the events which had recently occurred, there was no returning to the old system; and even if they could return to it, the growing discontent of the Irish people would render such a proceeding inefficacious. If the House passed this Bill, they would settle the question of tithe and secure to the Church a certain amount of revenue. These were some of the results which he confidently expected would flow from the measure, which had the additional advantage of having received the support of those who had hitherto been adverse to all propositions of a similar description. That circumstance, he trusted,

would render its reception and success in Ireland a matter of certainty. He confidently anticipated that it would be considered a work of peace, and a testimony of the disposition of the House not to forget the real claims of the Irish people, nor to be backward in redressing the grievances of which they had so loudly and so justly complained. These were the grounds on which he urged the House to lend its sanction to the measure, and resist the Motion of the right hon. Baronet. These were the grounds on which he founded his hopes of its practical success.

TITHES (ENGLAND).

July 24, 1835.

LORD JOHN RUSSELL had, on a former occasion, stated the reasons why his Majesty's Ministers did not think it expedient to proceed with a measure on the subject of the tithe-laws in England during the present Session. He now begged to add, that he should be prepared, on the part of the Government, early in the next Session of Parliament, to submit a measure on the subject to the consideration of the Legislature. On a former occasion he had stated, that he thought it would be advisable that the subject, after it had been laid before Parliament, should be referred to the consideration of a Select Committee, in order that the different bearings of the question, and the different amount and operation of tithes in different parts of the country, might be duly and properly considered. He would only add, that he still retained the same opinion as to the propriety of that course.

REGISTRATION OF BIRTHS, &c.—DISSENTERS' MARRIAGES.

February 12, 1836.

LORD JOHN RUSSELL rose for the purpose of bringing forward a Bill for the general registration of births, marriages, and deaths, and likewise a Bill for the purpose of amending the laws regulating the marriages of Dissenters. At that time of the night he thought it would be most convenient to the House if he stated in as short a manner as he could the object and the general provisions of both these Bills. It would, perhaps, be in the recollection of some hon. Members of that House that at the time when a right hon. Member opposite proposed to bring in a Bill to regulate the marriages of Dissenters last year, he (Lord John Russell) stated his opinion, that a Bill to be sufficient and satisfactory for the regulation of Dissenters' marriages should be preceded by a Bill of registration. But he had not brought forward any Bill upon the subject—because any plan that could have been devised for this purpose was considered by the Government of that day as entailing an expense which formed an insurmountable objection to its adoption—that is to say, an objection, not to the principle, or to its being one day or other adopted, but an objection to its being brought forward at that time, until a plan had been more maturely considered, and until it was seen whether it could not be carried into effect economically, and with a prospect of its final success. But laying aside altogether for the present moment that part of the measure which related particularly to the grievances complained of by the Dissenters, he thought that in a general and national point of view it was most desirable that a general system of civil registration should now be carried into effect. It was a most important subject—important for the security of property—important to ascertain the state and condition

of individuals under various circumstances—important to enable the Government to acquire a general knowledge of the state of the population of the country—that there should be a general registration of births, marriages, and deaths. The present registration was very deficient, as had been fully proved before various Committees. In the first place, it was a registry not of births but of baptisms; and, in consequence of the system adopted, it only gave the marriages where the ceremony was celebrated according to the rites of the Church of England. Without laying any further stress upon the detail of these objections, he should observe that they arose from this defect in the principle of the registration, that it was ecclesiastical and not civil. Now, with respect to ascertaining the fact of the births, deaths, and marriages of various parts of the community, it was quite obvious that this subject had no reference to the religious creed of any man; but, on the contrary, in a country and amongst a people composed of various sects and religions, it was clear that a registration of marriages according to the rites of the established religion alone could never be perfect or complete. He could illustrate this by reference to the case of the Baptists, and to many other sects; but, in fact, it required no argument to support it. If the House wished to form a complete registration, it was necessary to have one which would comprise indifferently and impartially all classes and distinctions of religions. The plan adopted for this purpose under the Commonwealth was to have the registration taken by the inhabitants and ratepayers. But without dwelling upon this plan, which was enforced for a certain time, he should refer to another plan, introduced two years ago by Mr. William Brougham, Member for Southwark. In that Bill it was proposed that the tax-surveyors should have the cognizance of the registration. Upon instituting inquiries into the working of this system, and obtaining a

return from different parts of the country, it appeared that though very many of the surveyors were quite competent to discharge the duties intrusted to them, yet in many more cases it would be necessary to employ persons of a superior class, and to give them additional remuneration, which would entail a very considerable expense, and, as he before observed, be an insuperable objection to the adoption of the plan. But within the last year or two a change had taken place in the domestic policy of the country with regard to the Poor-laws, which seemed to open the way to the establishment of a civil registration, and which would not be attended with considerable expense. At present there were upwards of 200, he believed 228, Unions, formed in England and Wales, under the new Poor-laws, comprising 3,283,000 persons; and there would be, he expected, within a short period, more than 800 Unions in England and Wales. So that by April, 1837, there would be a sufficiently broad foundation laid for the general introduction of the system. He would direct the attention of the House to the means which the machinery of the Unions afforded for carrying this registration into effect. In each Union there were certain officers, called 'Union officers,' for every 5,000 persons, the Union comprehending generally 15,000, 16,000, or 20,000. Besides the overseer and assistant, there were the auditor and the clerk of the board. It was now proposed that the Poor Law Commissioners should have the power of appointing one of these officers, or any other person they might think fit, to be the registrar for a certain number of persons; that this registrar should be under another officer (say the auditor, or the clerk), who should be his superior; that there should be another superior registrar who should have a county office; and that there should be an office in London (as in Mr. Brougham's Bill), to be under the direction of the Poor Law Commissioners. It was proposed that the subordinate

officers should register the births and deaths that took place, and the marriages that were contracted, under a Bill which he should bring forward on a future occasion; that every two months all the entries they had made should be forwarded to the county office, and be thence transmitted to the central office in London; that they should keep their books of registration until they were filled up, and then transmit them to the county registry office. This he thought was the best manner of effecting the registry, and in this respect the Bill did not greatly differ, although it did in some respects, from the Bill of Mr. William Brougham. What he proposed in cases of birth was, that notice should be given to the local registrar by the occupier of the house in which it took place, within eight days of the birth of the child; and within fifteen or twenty days after notice had been given, the registrar should call on the father or mother of the child to fill up the particulars with reference to the birth. The person also giving these particulars should give the name of the child; and if the parties did not give the name of the child, or if they wished it to be entered afterwards, they should be obliged at a future period to produce a certificate of baptism, so that the registrar should afterwards be enabled to enter the name of the child. In cases of death, the occupier of the house would be obliged to give an immediate account of any death that occurred in his house; and in those cases the registrar should call upon the next of kin, if resident in the house, and get any further particulars that might be deemed necessary with reference to the dead person; for instance, with respect to the country from whence he came, the period of his birth, and other circumstances. As far as regarded the entries of marriages he need not then say anything, as the particulars would be given in the Bill regulating marriages, which he intended to propose after the present measure. There might be some difficulties in

the way of carrying out, to its full extent, a Bill of this nature at first. It might be the case with some persons that they would refuse to give the registrar the particulars he might require; but he (Lord J. Russell) was quite sure that where the plan was established, the advantages attending it would be so obvious, and would be so soon felt by all classes of persons—they would so soon perceive the benefit of having their children's names inserted in the general register—that it would not be very long before every one would be willing to concur in carrying out the plan. It was not proposed that parties giving this information to the registrar should be compelled to pay any fee, although they would have to pay for a copy of the register afterwards, should they require it. The manner of registration would be this: every registrar would receive a fee of 2*s.* 6*d.* for any name entered within the period of twenty days; and after twenty days, 1*s.* extra. The superintendent would receive, on the average, 2*d.* for each register. It was calculated that, altogether, there would be about 812,000 entries in the general register in the course of the year. The expense of the local registries would be something more than 40,000*l.* a year, and the total charge, together with the expense of the chief officer in London, would be about 80,000*l.* a year. The expense of the central office in London, he would propose, should be defrayed by the Treasury; the expense of the local registrars and the fees of the superintendents should be made a local charge, and should be defrayed by the parishes in which the persons resided, with reference to whom the entries were made. He had now stated the chief particulars that were necessary with respect to the register of births and deaths, and would proceed to explain the details of the other Bill. He thought that the law regarding marriages was a law which had been justly described as creating great confusion between things regarded by the State as

important for the well government of the country, and for the due succession of property, and things which were matters of conscience. It was of importance that the State should have a certain degree of security in order to prevent marriages being clandestinely performed between persons able to enter into a contract of the kind, and also that the contract should, after certain circumstances had been fulfilled, be considered as finally closed; and that the relative position in which the parties stood to each other should be perfectly understood. While on this part of the subject he would observe, that it was necessary that the register should be formed in such a way as to embrace all classes of persons in his Majesty's dominions; that he thought was what the State required; and it would be necessary for the due security of property and the preservation of order and morality in the State, and to that its attention should be directed. There were circumstances with respect to a registry of marriages essentially different from the other registries he had described. With the exception of a small portion of the people of this country, all persons were agreed in considering it a religious ceremony, and, as such, that its celebration should be accompanied with some religious forms; but they were not agreed as to the manner in which the religious ceremony was to be performed, nor as to the forms which were to accompany it. What interested the State was, that what was then done should be a ceremony which was considered binding by both parties. If they once ascertained that the parties had given due notice for the purpose, and that the marriage was settled, and that the contract was such as would be binding on the consciences of the parties —when they had ascertained this, he thought they had obtained all that it was necessary for the State to know. But now the law proceeded in a very different way, and on a very different principle, as the right hon. Member for

Tamworth had justly stated last year, and in which opinion his hon. and learned Friend, the Attorney-General, concurred with the right hon. Baronet; and that, although now it was usual to have bans proclaimed, and the ceremony performed in the Church, yet that marriages might be celebrated in any other place, and that a contract *per verba de præsenti* was a legal and actual marriage, and that this might take place in any private house, or even in a court of justice. This state of things left the law uncertain with regard to marriages. From inquiries he had made, he understood that contracts of marriages of the kind he had just adverted to formerly took place between Dissenters, and that Lutherans and others were married in this country in this manner previous to the Act of 1754. The Marriage law of 1754, however, declared, that all marriages should be performed after bans had been proclaimed in the parish Church, or after licences had been granted to the contracting parties by competent authority, and that the ceremony should be performed within certain hours in the Church, whether by bans or licence, and by a clergyman of the Church of England. This law, he could not help feeling, was unjust, and was an unnecessary violation of the consciences of those who dissented from the Church, for it compelled persons wishing to contract a legal marriage to go into a Church which they were not members of, and to have the ceremony performed by a clergyman in whose religious opinions they did not agree, whose doctrines they did not follow, and many of whose religious opinions they might not be willing to receive or listen to. He thought, therefore, that the law should be brought into a state of greater simplicity, and be altered so as to avoid the objections that were raised against it on this account. The Protestant Dissenters had pressed for the redress of what they considered grievances, and he thought they justly regarded this as one of a serious nature.

Within the last few years they had manifested great anxiety on this point, and he had heard statements made to the House by them during the Administration of Earl Grey, as well as during the Administration of the right hon. Baronet, in which they asserted, that they were willing to accept an arrangement in either of two ways. One was by making marriage altogether a civil ceremony, and by doing so acknowledging that all parties might adopt any religious ceremony they might consider desirable, apart from anything required by the State, and that they might perform such religious ceremony either in church or chapel, or in any other way conformable to their consciences. If this was not admitted, they were willing to adopt another line. They acknowledged the religious nature of the ceremony, but they said, 'Allow the members of the Church of England to go to the parish church, and allow us to be married by our own ministers in our own chapels.' There might be great simplicity in the first plan; but considering the circumstances of the country, and the feelings of the people, it was liable to great objections. The Legislature would respect, as it ought to do, the religious obligations of the contract. But if the Legislature took no notice of the religious part of the contract, and said that the civil contract was sufficient, and that everything then required by it had been performed, he thought that the ministers of the Church of England would complain of this as an unnecessary offence to their consciences, and that sufficient and due respect had not been paid to the religious ordinances which they considered themselves enjoined to observe. There was another way which the right hon. Baronet proposed—and in a manner, he would add, which reflected credit on his liberality, and which induced all the Members of that House, who were Protestant Dissenters, to acknowledge the enlarged and liberal views he entertained on the sub-

ject; but it was not satisfactory to them, as it was proposed that the marriages of the members of the Church of England should be left as at present, but that the marriages of Dissenters should be treated as a civil contract, and that the contract should be entered into before the civil magistrate. This was a question of feeling; and he fully entered into the feelings which made the Protestant Dissenters say, that by a measure of that kind the State acknowledged that marriage was a religious ceremony in the Church of England, but it was not so as regarded the Dissenters. By far the greater part of the Dissenters regarded the marriage contract as much a religious contract as the members of the Church did. They said, 'We have the same religious notions of the obligations of the contract as the members of the Church, but by this difference in the form you unintentionally cast some stigma upon us.' There remained another method by which the principle of relief could be afforded, and by which the Protestant Dissenters would be allowed to be married by their own ministers in their own chapels, in the way which they thought most conformable to their own consciences. He intended to propose that there should be one form with respect to all marriages; that instead of the contract being entered into by the present system of bans or licences, that it should be by means of a notice-book and licence. With respect to licences, almost all the higher classes were now married by means of them, as they were obtained for sums of money; but the poorer classes were married by bans, and their names were proclaimed in the church. As to the proclaiming the bans in the parish church, he wished to observe, that after having taken the opinion of many clergymen of the Church of England, as well as other persons, on the subject, that he did not think that they afforded the security against clandestine marriages which was intended by their use.

He believed that this law subsisted long before the Reformation, and when every person in the parish belonged to the Church, and all were of one religion, and when the parish church was sufficiently large to embrace the greater part of the inhabitants of a parish, and when almost all persons resorted there. But in the present time bans were void and of no effect to all Dissenters from the Church, as well as to all persons who did not attend there. In populous parishes also, where not one-tenth or one-twentieth part of the population could attend, there was merely a huddled list of names read over, and this was done in the most careless manner; and clergymen had told him that it often occurred in an interval of the most solemn part of the service, and caused a most unpleasant and an almost indecent interruption of the service. He proposed, therefore, instead of this, that all persons about to be married should give notice to the registrar that their names might be inserted in the notice-book. That previous to the marriage the name should continue on the notice-book for twenty-one days; and that it should be open to inspection, and that the names of persons wishing to be married by licence should remain on the notice-book eight days. There certainly was a distinction here between two classes; but it was not of such a marked nature as existed at present. Those who were married by licence had to pay a large sum for it, which those who were married by bans were for the most part unable to afford. He did not propose to do away with the special licences granted by the Archbishop of Canterbury, and, therefore, need make no observations on that part of the subject. As he had said before, the names were to remain on the notice-book for twenty-one days, and the registrar would then give a certificate to the parties, and within a certain period the marriage might be performed. It was not necessary for him to state the number of days to be

allowed for this purpose, as that could be arranged in the Committee. If the parties were members of the Church of England, they might, if they thought proper, have bans proclaimed in the church; but he proposed that the clergyman should not be bound to marry, unless the parties produced the certificate of the registrar. He should previously have stated, that before the names of the parties could be inserted in the notice-book, that some persons known to the registrar should declare that the parties were really and *bonâ fide* what they purported to be. If the parties were not members of the Church of England, and did not choose to be married in the church, he proposed that they might be married in a Dissenting chapel, which Dissenting chapel must be regularly licensed for the purpose. He proposed that this should be done, provided twenty housekeepers signed a declaration that they had been in the habit of attending the chapel, and that they knew it to be constantly used as a place of public worship. When this was done the place was to be licensed, and it was to be described as a licensed chapel in which marriages could be contracted. After a Dissenting chapel had been licensed for the purpose, the Dissenting minister would be empowered to marry the parties, in the manner which was agreeable to their own feelings and conscience. It was to be recollected, with respect to the officiating minister of the Church of England, that he was well known, and that his designation and habitation were fixed, and there was great security as to proper care being used in performing the marriage ceremony. With respect to Dissenting ministers, he need hardly observe that they were a great society of persons; and it often happened that a person for a time became the minister of a Dissenting congregation, and afterwards laid down his charge. The consequence would be, that there would be great uncertainty and vagueness if some care was not taken. He therefore

proposed, that in all marriages in Dissenting chapels the registrar should be present at the ceremony. Then there remained that class of persons to whom he had before adverted, but which certainly was not very numerous, namely—those who declared that marriage was a simple civil contract; and in order to make the measure complete he should give them something resembling what the right hon. Gentleman proposed to give them in his Bill of last year. Instead, however, of making them go before the magistrate, as had been proposed, he should prefer that the parties, in such a case, should go before the chief superintendent of the district, and that they should be married according to a certain form of words prescribed in the Bill. The only difference between the marriages in the Church of England and those in Dissenting chapels was, that in the former the clergyman would have to enter the date of the ceremony, and the names of the parties, in the parish register-book, and that he afterwards must prepare a duplicate copy of the certificate of marriage, which he must send within a few days to the local registrar, who would enter it in the usual way, and afterwards send it to the chief register office in London. It thus appeared that he did not propose that it should be incumbent on the registrar to be present at marriages in the Church of England; but in Dissenters' chapels he deemed it requisite that the registrar should be present. In the Church of England, then, all the forms of marriage would be preserved, and at the same time he trusted adequate relief would be given to the conscientious objections of the Dissenters. These were the chief points of the two Bills which he proposed to introduce. He thought by the proposed civil register they would have a further advantage, which he did not think could be obtained in any other way. It would relieve the Protestant Dissenter from that which he conscientiously considered a grievance, and, at the

same time, it would afford good security against clandestine marriages. By passing these Bills, he thought that the Legislature would deprive the Dissenters of one of those grounds of complaint which had been adverted to in the King's Speech, and would relieve them from grievances which they considered a burden on their consciences. He thought for this purpose, above all, a system of civil registration was necessary, and therefore it was, that he was anxious to consider both Bills together. Thus, then, while no disadvantage was offered to the Church, a complete relief was afforded to the Protestant Dissenters with respect to the grievances of which they complained. He would say a few words, and a very few, with respect to other practical grievances of which he had heard Protestant Dissenters complain during the last three or four years. The first complaint was, want of a civil and general register; the second was the want of a marriage ceremony, which was not offensive to their feelings. With respect to these two points, he had already addressed the House, and he trusted that the two Bills he proposed to introduce would afford an ample and satisfactory remedy. The third subject of complaint was the disabilities under which the Dissenters laboured, as regarded Oxford and Cambridge, which, at the same time, prevented them from obtaining those degrees in sciences and arts which might be obtained by the members of the Church of England. On this subject he would merely observe that he had always been favourable to opening the Universities of Oxford and Cambridge to Dissenters; but he should be guilty of something like delusion if he held out any prospect of immediate relief in this respect. Some Protestant Dissenters, however, looked to another mode by which those honours and distinctions might be attained, from which they ought not to be debarred in consequence of their religious opinions. He meant the establishment of a new University. This

subject had occupied the attention of the Government, and his right hon. Friend the Chancellor of the Exchequer had devoted much time to devising a plan by which Protestant Dissenters, as well as all other persons, would be enabled to obtain their degrees, and that standing to which they were entitled, but which were now limited to those who studied at Oxford and Cambridge. This plan his right hon. Friend would shortly state to the House. Another matter of complaint was church-rates. Before, however, adverting to this, he would allude to the complaints that had been made, that ministers of Dissenting chapels were not allowed to bury deceased members of their congregations in the burying-grounds of the Church of England. He was not prepared to propose anything on this point; but he would venture to say to those Protestant Dissenters who might be prepared to petition the House on the subject, that the great object all should have in view was, the promotion of religious peace; and that while they left the Church of England in the full enjoyment of the rights which it ought to possess, the Protestant Dissenters should be placed in such a position as to feel themselves perfectly free and equal in all civil concerns, and that this matter should not be an occasion of jarring or quarrelling between themselves and the members of the Church. He was sorry to hear that there were some among the Protestant Dissenters, who stated that they preferred going on with the contest between themselves and the Church on this point, as well as respecting church-rates, rather than the Legislature should interpose to promote peace and harmony. Nothing in his opinion could be more desirable than putting an end to those contests which unhappily subsisted. It was the duty of the Legislature to establish such a system of laws that those feelings of alienation which unhappily existed between members of the Church and Dissenters should be

lessened as much as possible. At the same time both parties should yield to a mutual feeling of good will, and one party ought to feel that it possessed nothing which could be considered an injury to the other. If this state of things was ever established, he should be able to look with confidence to the settlement of the question of burying Dissenters by their ministers in the churchyards. He was sure if they introduced a measure for this purpose at present, and gave Protestant Dissenters, at any time, and under any circumstances, the right of going into churchyards for the purpose of performing any religious ceremonies they pleased, against the wish of the clergyman, so far from promoting harmony, they would widen the breach which now existed. The clergy would feel that it was an unnecessary and unjust interference with them, and it would excite painful feelings in their minds, to see ceremonies performed in the churchyards, against which they entertained serious and conscientious objections. If, however, those feelings of harmony and goodwill were produced, he had no doubt that this might be made a matter of compromise between the clergy and the ministers of the Dissenters. A clergyman living in harmony in his parish, and having feelings of goodwill to all classes of his parishioners, might be induced to allow a funeral ceremony to be performed by a Dissenting minister in whom he had confidence, and with whose piety and devotion he was satisfied, and from whom he did not anticipate anything obnoxious or insulting to his feelings. The subject of church-rates would form a matter of consideration and debate for another day; and he trusted that the end of these measures would be to establish firm peace between all religious parties in this country, and to do away those religious heats which now prevailed; and thus that a spirit of religious harmony would be engendered, in which respect he was sorry to say that England was far behind other

countries. In commerce, in wealth, in industry, and, in some respects, in public instruction, there were some nations far inferior to us, but, in respect of religious tolerance and harmony, they were far before us. The noble Lord concluded with moving for leave to bring in a Bill to establish a general civil registration of births, marriages, and deaths in England and Wales.

Mr. O'Connell rejoiced at the extent of the measure, as regarded the marriages of Protestant Dissenters; but he wished to know whether the measure extended to Roman Catholics?

LORD JOHN RUSSELL replied, that in England and Wales the provisions would extend to Roman Catholics.

ORANGE LODGES.

February 23, 1836.

LORD JOHN RUSSELL hoped that the House would indulge him a few moments after the appeal made to him by his noble Friend. He assured the House, that after the statement of the hon. and gallant Colonel, and of his noble Friend who had just sat down, he felt great pain in being obliged to state that he had heard nothing in the able statements of both which could induce him to alter the resolution in the way they had suggested. In saying this, he hoped he should be understood as not unwilling so to frame the resolution as to meet the wishes of the hon. and gallant Colonel, and of others who felt sensitively on this subject, if he could do so without departing from that which he considered his duty on the present occasion. It did appear to him, after what had occurred last year, that a necessity had arisen for putting an end to all secret associations, and that the House was bound to

declare its opinion whether those societies were injurious or otherwise to the public tranquillity. He did not think, therefore, that the House would meet the case fairly unless it inserted in the resolution the words 'Orange Lodges.' It was beyond doubt that all the previous debate had referred to those societies, but, after what had occurred, and after mentioning other societies in general, it was their duty to mention these in particular; and he owned that he did not see why hon. Gentlemen should think that the use of those words implied a stigma on them; there was no opinion pronounced as to the legality of those societies —there was nothing more said than that these as well as other secret societies should receive the disapprobation of the Crown. Under these circumstances, he regretted his inability to comply with the suggestion of his noble Friend.

TITHES AND CHURCH (IRELAND).

June 1, 1836.

Lord John Russell: I beg, Sir, to remind the House that I took occasion, before my noble Friend commenced, to propose to him that he should have an opportunity, if he thought fit, to bring in any Bill he might have prepared on the subject to which the speech he has just concluded referred. It was the choice of my noble Friend not to accept the proposal. I find no fault with him for taking that course, but I think, certainly, that I am at liberty to draw this inference from his having declined my proposal —namely, that my noble Friend, under another name, intends to give a strenuous opposition to the second reading of this Bill. If my noble Friend had asked to introduce a Bill upon this subject, it was in his power to have done so

either at some time before the measure of my noble Friend, the Secretary for Ireland, was introduced, or after the motion for its introduction had been made, or in some subsequent stage of the measure. It is, therefore, on the principle of our Bill, to which my noble Friend declares, that he never will consent, that he rests the issue of this question. I am glad to find that my noble Friend does not deny that this is the real question before the House. I am glad to find, that he does not deny, that the real question is, whether the principle of this Bill shall or shall not be adopted. Now, Sir, I am as willing as my noble Friend to appeal to the reason and moderation of the people of England upon this subject. It is to the reason and moderation of the people of England that I appeal—not on the details, not on the regulations, but on the principle on which this Bill is founded. Sir, although my noble Friend, at the commencement of his speech, appealed to the reason and moderation of the people of England, I cannot forget, that he afterwards appealed from them to the feelings of this House, as a House of Gentlemen. True, Sir, it is a House of Gentlemen, but I hope it is something more; I hope it is a House representing popular feelings and popular interests. I hope it is a House representing (as it is the duty of Members of this House to do), not particular and local bodies of men, but representing, as Mr. Burke stated he considered himself bound to do, the whole people of this empire, including among them that outlawed portion of the people—the six millions of Roman Catholics in Ireland. Sir, my noble Friend, in the whole course of his speech, although he adverted to all the considerations, or very nearly all the considerations, connected with this Bill, totally omitted one most important consideration—namely, the consideration and concern which this House ought to pay to the interests of three-fourths of the people of Ireland. My noble Friend told us that we

ought not to overlook the interests of the children of clergymen, and that it was a painful reflection for a clergyman that he could not leave to his children a competence after his death. Undoubtedly this is a very painful situation. But did it not occur to my noble Friend, or if it did not occur to him, I hope it will to hon. Members of this House—did it not occur to my noble Friend that there are others, not in the situation of clergymen, that there are the Roman Catholic people of Ireland, who, also, have to consider what is due to their children and their families, and who may be permitted to ask, when this score of 400,000*l.* is levied, what is the benefit which they are to derive from the expenditure of the money? Sir, I say at once—for it is as well that I should as early as possible place this Bill on the ground on which I think it ought to stand—I say at once, that our notion of a Church Establishment is, that it is not intended for the support of the offspring of the clergy in comfort and opulence, but for the instruction of the people. In the course of the last century there were eminent men who wrote and discoursed upon the principles and the grounds on which the State ought to support a Church Establishment. I am not going to fatigue the House with any quotations from their writings; but, when I mention the names of Warburton and Paley, every man will know what degree of weight is to be attached to their authority. Their doctrines differed very widely from each other. It was the opinion of Warburton, that the Church was naturally and politically the ally of the State; it was held by Paley to be a complete perversion of the intention of a Church Establishment to consider it as the ally of the State at all; but both these men, both able and enlightened men, and fully competent to grapple with the subject on which they wrote, both understood and both maintained, that an Established Church should be the Church of the majority of the people.

This was the understanding upon which those able and learned men wrote upon the Church; and this was the principle on which they considered, that the Church ought to be supported. I do not mean to say, that this doctrine ever can be carried to its full extent in Ireland; it is not my intention even to propose to carry it to the extent to which they did; but this I maintain, and this I ever shall maintain, that the interests of the great body of the people ought not to be overlooked; and the duty of a State is, not to choose and select that doctrine which the Legislature or the supreme authority may consider to be founded in truth, but to endeavour to secure the means by which they can inculcate religion and morality among the great body of the people. If we were to maintain an opposite opinion, or to found a church upon any other doctrine, we should soon extend to Hindostan the religion of the Established Church of England, and spread throughout our dominions—among the Roman Catholics of Canada and the members of the various religious persuasions to be found in our numerous possessions in different parts of the globe—the faith in which we were brought up, and insist on a general conformity. It is impossible that we can maintain any such proposition; if we did so, our Church, which is so useful in this country, which serves so many high and stable purposes, would become in those places merely a nest of sinecures; and while you took care that there were clergymen with sufficient revenues, you would be totally neglecting that which it is the business of the State to provide—namely, that the great body of the people shall have the means of receiving religious and moral instruction. Now, Sir, both the Bill of last year, and that which my noble Friend, the Secretary for Ireland, has introduced this year, proceed upon the principle, that while you preserve to the Protestant Church of Ireland whatever is necessary for the spiritual instruc-

tion of the Protestants, yet that any surplus which can be derived from its revenues shall be applied to the religious and moral instruction of the great majority of the people. The meaning of this is, that you shall not consider the great majority of the people, as my noble Friend (Lord Stanley) did throughout his speech, as mere blanks in the empire, but that you shall provide them, not with a Church Establishment according to their own faith, but with a system of education which you can fairly give, and which, as my noble Friend (Lord Morpeth) declares, Parliament is ready to afford, and to endow, if necessary, with the sum of 20,000*l.* a year—that you shall give this education to the great body of the people, that you shall make it a part of your duty, and that you shall consider it part and parcel of your ecclesiastical establishment. This, I think, is the broad and general view of ecclesiastical purposes. This is the view which takes in a vast number of people, who, if you confine yourselves to my noble Friend's (Lord Stanley's) proposition, can never derive any benefit whatever from the distribution of those funds, and who, by reason of their not deriving any benefit from them, are not, as respects the State, duly furnished with the means of that religious and moral instruction which it is bound to afford. Having thus stated what I consider to be the great principle of this Bill, I think it follows that I shall not be prepared to withdraw it in favour of the proposition of my noble Friend opposite. I will not imitate my noble Friend's example. He has made it matter of reproach to us that we have altered and conceded some of the provisions of last year. I will not undervalue, far less will I reproach or taunt him with any proposition he has now made for the reform of the Church of Ireland, to which he was not disposed to accede last year; on the contrary, I value very highly any proposition coming from him with the authority he is empowered to give it. He will permit me to say, how-

ever, that these propositions leave altogether out of sight, and leave altogether untouched, that great principle which we have maintained—that great principle on which I had the misfortune to differ from my noble Friend when we were in office together—that great principle on which the House declared its solemn opinion last year. I will now notice, before I proceed to other questions, one or two points on which I think my noble Friend has made, I will not say an unfair, but certainly not a politic, use of the alterations in our present Bill. It was one of the reproaches cast upon our Bill of last year, that the property of the Church—the collection and disposition of it, at least—was altogether transferred into the hands of the Commissioners of Land Revenue. It certainly appears from the reports of what passed in the House of Lords in respect to the subject, that this was one of the parts of the Bill to which they said they never would give their consent, on the ground that it was a gross violation of principle. I know it was stated by one noble Lord, I have no objection to state his name—I mean Lord Ellenborough—that it might be expedient to give the Commissioners of Land Revenue the power of collecting this income for a time, but that he thought that after a time the principle should prevail, and the collection of the revenue go to the clergy, in whom, in his opinion, and in that of a majority of the House of Lords, it ought properly to rest. This is one of the points on which, feeling that we conceded no principle in so doing, we made a concession; and it is one of the objects of my noble Friend opposite to attack that concession and that provision of the Bill, and to subject us to reproach, because we have yielded to what we thought, in the conscientious opinion of our opponents, was one of the great obstacles to the passing of the Bill. A great part of my noble Friend's speech was taken up in pointing out the faults of former measures, but a very small portion was occupied in pointing out the

faults of the particular measure introduced by my noble Friend (Lord Morpeth). A considerable portion of his speech was devoted to a detail of the inconveniences which at present arise where there is a very small income, a large population, and a great number of parishes (which is undoubtedly one great fault of the present system), and a great part was employed in showing the inadequacy of the fund provided for the Church Temporalities. Why that is a fault of my noble Friend's own Bill. My noble Friend also attacked the scale we have proposed, which I think a very adequate one, fully adequate, I should say, for the purpose, but at all events more liberal than that which the right hon. Baronet, near my noble Friend, (Sir Robert Peel) stated last year, as the one which we might fairly have adopted if we had wished to carry into effect the principle of our Bill. I know not for what purpose my noble Friend opposite stated it, if it were not as suggesting something better than the Bill before the House; but he said, that even if a moderate scale of income were taken as sufficient for the clergymen, he would show, on the authorities he could quote, that sufficient provision was not made for them. Well, Sir, we have taken a scale which goes beyond the proposition of the right hon. Baronet; and now my noble Friend tells us it is objectionable both in principle and practice. I think it is rather too much for the noble Lord, after attacking in the first place the present state of things—after attacking the departures from the old Bill, and attacking the scale of the right hon. Gentleman near him, to come forward and lay the burden of all those faults on the Bill we propose. Now, Sir, with reference to the application of the net income arising under the Tithe Bill, which we propose in the present measure. It is as follows:—

'To 675 benefices of the first class, containing more than 50, and less than 500 Protestants, at 200*l.* per benefice,

rent-charge and thirty acres of glebe valued at 30*s.* per acre—165,375*l.*

'To 211 benefices of the second class, containing more than 500, and less than 1,000 Protestants at 300*l.* per benefice, rent-charge and thirty acres of glebe valued as before —72,795*l.*

'To 190 benefices of the third class, containing more than 1,000, and less than 3,000 Protestants, at 400*l.* per benefice, rent-charge and thirty acres of glebe valued as before—84,550*l.*

'To fifty-one benefices of the fourth class, containing upwards of 3,000 Protestants, at 500*l.* per benefice, rent-charge and thirty acres of glebe valued as before—27,795*l.*

'To 123 benefices of the fifth class, containing less than fifty Protestants, at 100*l.* per benefice, rent-charge and thirty acres of glebe valued as before—17,835*l.*'

It appears, as my noble Friend has very truly said, that the whole scale furnishes about 290*l.* for each benefice; but if I were to take only a part of these, if I were to omit benefices containing more than fifty and less than 500, and benefices containing less than fifty, then the whole amount being 185,000*l.*, would give for each benefice an average of about 411*l.* a-year. What say the Church Commissioners in their second Report, with reference to the present state of the Church of England? It appears from their Report, that 'there are 3,528 benefices under 150*l.* per annum; of that number, thirteen contain each a population of more than 10,000, fifty-one a population of from 5,000 to 10,000; two hundred and fifty-one a population of between 2,000 and 5,000; and eleven hundred and twenty-five have each a population of between 500 and 2,000.' According to this statement there are 1,440 benefices in this country, each containing above 500 persons, all under 150*l.* per annum, and the average of which we may suppose to be from 100*l.* to 120*l.* per annum. There-

fore we have here, in England, 1,440 benefices, each containing more than 500 persons, at this average of 120*l.* a-year; and we propose that in Ireland, in all benefices containing more than 500 persons, there shall be one average of 411*l.* a-year. Now, I ask my noble Friend, if he be so shocked at the penury in which we leave the Irish Church, what does he consider the state of the English Church under such circumstances as these? Be it recollected, too, that the state of the English Church is the state of a national Church, to which the people of this country belong; that when we talk of the poverty of clergymen of this Church, we talk of the poverty of men who are doing their duty to their flocks in both town parishes and country parishes—whose offices are received with thankfulness, respect, and veneration; and that when we speak of the average of 400*l.* a-year, which is given to the Irish clergymen, it is given in parishes where there are more than 500 members of the Established Church, certainly, but where there are, perhaps, 1,000, 2,000, or 3,000 persons of a different persuasion, to whom that religious consolation cannot be extended, and by whom it would be refused if it were proffered. This is, however, a point upon which my noble Friend opposite and I entertain very different opinions, which must always be kept in view. The Church of Ireland must, I admit, be supported; you must endeavour to make it agree, as well as you can, with the circumstances of the country in which it is placed; but, after all, it is not the Church to which the great majority of the people belong. My noble Friend complains of the hardship and injustice of leaving some of these clergymen starving, as he calls it, on 100*l.* a-year. Why, Sir, I find that in the 7th and 8th of King George IV., in the orthodox period of 1827, before the Roman Catholics were admitted into this House, a pro-

vision was inserted in an Act of Parliament to this effect:—

'When any parish or parishes appropriate, belong to, and are annexed to any archbishopric or bishopric in Ireland, it shall and may be lawful for any archbishop, with the consent of the dean and chapter of the diocese, and when there is not any dean and chapter, then with the consent of the major part of the beneficed clergy of the diocese, and also of the archbishop and patron of such parish, under their hands and seals, to unite two or more of such appropriate parishes into one perpetual cure, and to unite one or more of such appropriate parish or parishes to any one benefice or benefices contiguous thereto, provided the certain value of each such respective unions do not exceed 100*l.* by the year.'

If any reproach can justly be brought against us, it is one which applies equally against those who framed this Act, and against those who passed it, and thought that in so doing they were conferring a benefit upon the Church of Ireland. Undoubtedly in benefices in Ireland—there are no great number of them—which contain less than fifty Protestants, the income of 100*l.* a-year is a small one; but it is not less, it is even larger, than the income which many clergymen and curates of the Church of England enjoy. It is an income one-fourth larger, besides the glebe, than we were told last year was given to the curates of two parishes which produced 1,200*l.* or 1,500*l.* a-year to the rector. My noble Friend, the Secretary for Ireland, (Lord Morpeth) makes a proposition, therefore, the tendency of which is not to diminish the Church Establishment, but to apportion the income of its ministers to the amount of duty they are called upon to perform. While he increases—and increases in several places to a very large extent—the incomes to be paid to

those ministers who have heavy duties to perform, he diminishes the incomes of benefices wherein the number of Protestants of the Established Church is very limited. My noble Friend opposite (Lord Stanley) says that there ought to be some limit, according to the extent of the benefice. It is a great hardship undoubtedly, and a very severe labour, for a clergyman to have to go over a great extent of country, in the discharge of his spiritual duties; and this is one of the points which I think might well come under the consideration of the Ecclesiastical Commissioners. At the same time I should be sorry that a rule should be laid down, and above all in an Act of Parliament, that the extent of benefices might be enlarged. By adopting such a principle we might fall into the error which those have fallen into who have long opposed the Bill now before the House, and who have contended against the principle of it, declaring that we should consider the extent of Ireland and not the number of Protestants—that we should provide for the cure of acres and not for the cure of souls. My noble Friend went at some length into an explanation of the details of his own Bill, and he also found fault with the Commissioners. At any rate, if my noble Friend did not directly censure, he did, by implication, state that some blame was to be attached to the Commissioners acting under the Church Temporalities Bill. My noble Friend read a statement from their Report, in which they stated that they thought that it was expedient to spend 75,000*l.* a-year in the repair of churches; but he added that, in particular instances, they had sent down 100*l.* for the repair of churches which did not require more than 5*l.* to be laid out upon them, and this had occurred in parishes where there were Protestant gentlemen who were ready to contribute the 5*l.* The noble Lord passed over the defects of the Act which he wished to introduce, and went to the clauses of the Bill

before the House, which give power to the Secretary of State to reduce the income or revenue of the clergy to the minimum, and he assumed that this would be acted upon in every case; and he added, that thus, by impoverishing the clergy, the Government would be enabled to raise a large surplus to devote to other purposes. I think that this was carrying the argument to the extreme, and to an unfair length, for it is always to be assumed that the Government of the day, in which there is placed a discretionary power, will carry a Bill into effect according to the spirit of it, and according to the sense in which it received the sanction of Parliament, and will not strive to violate the principle of the Bill. If the Act stated that from 200*l.* to 300*l.* a year was to be given to a clergyman, according to circumstances—if they always gave 200*l.*, whatever might be the circumstances of the case, and never 300*l.*—they would not act fairly or in conformity with the meaning or spirit of the Bill. I think that Parliament would feel that any Secretary of State, or any Minister of the Crown, would neglect his duty if the Bill should be carried into operation in this way. But if any other persons should be proposed to carry the Bill into effect than the Ecclesiastical Commissioners of the Protestant Church, I should be happy to agree to the arrangement, provided it can be shown to be more satisfactory than the one we propose, for I do not mean to say that they are the only persons who can carry the provisions of the Bill into effect. I repeat, if there are other persons who, in the opinion of Parliament, are better adapted to carry out the plan, I am quite ready to assent to a change in this part of the measure. It was always said in the course of the debate on this subject last year, that there would be no surplus if the Bill was passed—that, in fact, a calculation was made of a surplus which would not appear, and which would altogether vanish in operation,

and that it was only an imaginary surplus on paper. I confess that my noble Friend's proposition was more acceptable in appearance than the assertion so constantly made last year, because my noble Friend says that there will be too large a surplus, and indeed so large that we shall not know how to apply it—that more will be received than was necessary for the payment of the 50,000*l.* a year for education. At any rate we shall carry into effect the object intended of applying any surplus that may arise to the purpose of general education; and my noble Friend need not be under any alarm as to too much accruing for this purpose for a considerable time; for in the first place, the 50,000*l.* a year now given from the Consolidated Fund for the purpose of general education must be repaid. I feel perfectly well assured that it will be many years before the 50,000*l.* a year thus advanced will be repaid by the Bill. The right hon. Baronet is perhaps satisfied that this is the case. It must be recollected, that any surplus of money that may accumulate in the hands of the Commissioners may be devoted for the compensation of those who give up their advowsons, to allow them to fall into the hands of the Commissioners, that they may come within the operation of the Bill. Therefore the right hon. Gentleman will not agree with the noble Lord, that any surplus would arise that would be too large for the proposed purpose; but, on the contrary, that it would be a long time before it would amount to a large sum. At any rate, I must say that this will be the case, before the sum will be sufficiently great to be devoted to other purposes than the education of the people. Although, therefore, a sum may arise, it will be a very long time before there will be a sufficiently large surplus to render it necessary that the attention of Parliament should be drawn to the subject. My noble Friend called my attention to one point connected, as he said, with a surplus—namely, respecting glebe lands.

He asked me whether this surplus was to be applied in such a way as to give glebe lands to the Roman Catholics? He asked me for a direct and distinct answer to this question. I answer directly and distinctly — No, His Majesty's Government have no intention to apply any portion of the surplus from glebe lands for the Roman Catholic clergy. I state now, as I did on a former occasion, that we intend to devote any surplus that may arise to the same purposes as we proposed to do last year—namely, first to apply what is requisite for the Protestant ministers of the Established Church, and to devote any surplus which might afterwards arise from the revenues of the Church to the general education of the people, without any distinction as to religion or creed. I will not trouble the House with giving any explanations of the details of this Bill; because my noble Friend (Lord Morpeth) who proposed the Bill, and to whom is due the merit of framing the Bill, on what I consider to be just principles, will be prepared to enter into its details; and also to show that he has allowed a sufficiency for the clergy, and to explain the grounds on which he framed the scale of incomes. I confess that if I had had to frame the outline of the Bill, I am not quite sure that I should have allotted a scale to the same amount; but this is a subject on which my noble Friend will be prepared to answer any objections. In consequence of the objections made last year, we have felt disposed to yield in some degree upon one point. We now propose to keep up the number of benefices, and to afford a sufficiency for the maintenance of each clergyman, requisite for the due performance of divine worship. I cannot go farther, but the plan we now propose to act upon is similar in principle to that of the former measure; and it is the principle on which the Ministers still propose to act. Do hon. Gentlemen forget the relative proportions in some parts of Ireland, between

the members of the Established Church and of other religious communities? Take two of the provinces of Ireland—the provinces of Tuam and Cashel. In Tuam there are 44,599 members of the Established Church, and 1,188,568 Catholics. In Cashel there are 111,813 members of the Established Church, and 2,220,340 Roman Catholics; making in the two provinces, 156,412 members of the Establishment, and 3,408,908 Catholics. The principle on which my noble Friend (Lord Stanley) proposes to proceed is, that there should be due and adequate provision made for the income of the clergy who attend to the spiritual interests of the 156,412 members of the Church; but that we should neglect altogether the 3,408,908 Catholics. Upon this principle we entirely differ. We differ entirely as regards this Bill, and as regards nearly every other measure respecting Ireland. I and my colleagues are of opinion that the Government of Ireland, in consequence of the mode in which it has acted, has at all times, and down to almost the latest period, been productive of great evil, by encouraging a strong party spirit, and has much neglected the interests of the great body of the people. I could give some instances in proof of this, of a different kind, and on different subjects from the present measure, but I think that this is the great point of difference between us and our opponents. There would be no difficulty in pointing out how that difference of principle has operated, and, showing by illustration and example, how the Government has been carried on. One instance which recently came under my attention, as a striking illustration of the system, I may mention. It is an instance which was mentioned in this House on a former occasion, though perhaps not in a way to make that impression on the House which I think that it should have made. My right hon. Friend the Attorney-General for Ireland, in

taking a view of the state of that country in his official capacity, found that it was not the practice to prosecute officially at the Quarter Sessions those persons who had been guilty of assaults, and who engaged in quarrels which often led to bloodshed. He was of opinion that leaving such crimes unpunished encouraged the peasantry in lawless outrages, and contributed to excite in them a disregard of the law. My right hon. Friend directed that not only the Crown Solicitor should attend at the different assizes, but that solicitors should be appointed to attend and prosecute these assaults at the various Quarter Sessions in Ireland. A question on this subject was raised in the House only a few weeks ago. It was asked, whether many of the solicitors appointed to carry on these prosecutions were not Roman Catholics. The object was to put down outrages and prevent crime, and for this purpose to use the efforts and skill of the different solicitors in the various towns in Ireland. The question was not raised as to whether this proceeding was desirable—as to whether the revenues of the Crown should be used for the purpose of preventing crime, but as to whether the solicitors employed to carry on these prosecutions were or were not Roman Catholics. I can give another instance of the same kind with respect to the administration of justice in Ireland, and with reference to which my right hon. Friend has succeeded in making an alteration. It has been the practice for the Crown to challenge fifty or more persons called as jurors in a common case, and where there was nothing of a serious nature, and this merely on some political or religious suspicion. The consequence of this practice was, that there arose an impression on the part of the people against the trial by jury, and it was believed that in these cases the source of justice was tainted and was not impartial. My right hon. Friend directed that the practice should cease, and that all

persons called upon juries should serve. I have received a number of letters from impartial persons in Ireland, who inform me that this change had already had a visible and obviously beneficial effect on the minds of the people. They now feel a security in the administration of justice, and they say that they shall have a fair trial when called up. The trials for offences which grew out of popular differences are attentively regarded by the people, and they now say, when a man is prosecuted, that at any rate he will have a fair trial, and justice will be done. It is only by means such as these, and by attending to the wants and wishes of the people of Ireland, that we shall prevail on them to cease to resort to crime on a light occasion, and to support the law and the institutions of the country, and to give to the Government and Parliament that confidence without which armies are useless for the preservation of tranquillity. But I cannot avoid mentioning another subject which, indeed, is different from the present matter of debate, but which I shall soon have an opportunity of bringing under the consideration of the House. I mean the Bill which was proposed to the House on the subject of Municipal Corporations in Ireland. This is one instance of a measure by which we propose that Ireland should be governed on the same principles of equal justice which we wish to apply in this Bill—and let no man say this does not belong to the subject before the House—for Municipal Reform for Ireland was opposed on similar grounds to those which are now urged against this measure; and in both instances such arguments were used, because the principles of the two parties were essentially different as to the mode of governing Ireland. We hold that the Roman Catholics of Ireland are to be considered on an equal account with their Protestant fellow-subjects, and that, as they freely wish to join with us in loyalty to the Throne and attachment to the Con-

stitution, it is right they should enjoy the same rights and privileges as we enjoy. Our opponents, on the other hand, maintain that the Roman Catholics are aliens in blood, differing from their fellow-subjects in religious opinions, and only waiting for an opportunity to shake off the Government of this country as tyrannous and oppressive. Undoubtedly, adopting such principles, our opponents must adopt, and did adopt, a course of proceeding very different from that which we recommend, and in which we are supported. I have now had an opportunity (which I had not had when I last addressed the House on this subject) of seeing the printed Bill sent down to the House on the subject of the Corporations of Ireland; and I must say, that the principle which ran through the alterations which had been made in that Bill was the same on which the amendment moved to-night by the noble Lord (Stanley) was founded—namely, the principle of contempt for the Roman Catholics, and the desire for their degradation. That principle runs through the whole of the amendments of the noble Lord; and I must confess, that when the noble Lord (Francis Egerton) proposed the instruction to the Committee on a former occasion, I wondered by what provisions it was intended to carry the principle of that instruction into effect. But when I now see my noble Friend (Lord Stanley) supporting precisely the same principle, I am still more disposed to wonder how it is that the noble Lord and the right hon. Baronet agree in supporting that principle, their opinions on political questions having long been so different. I cannot find that their new proposition is founded on the Whig principle of liberty, or on the Tory principle of reverence for ancient institutions; but, on the contrary, it is a mixture of some foreign adaptation, in which is combined whatever is worst in the example of the destructiveness of the French republic with what is most despotic

in their military empire. In considering the amendment of my noble Friend I am compelled to look at it with reference to the whole of the political principles adopted with regard to Ireland. From that point I shall not depart. I consider the Bill as involving the whole question of the principles on which Ireland is to be governed; and whether that shall be in accordance with the wisdom and sense of the country, and directed by that reason which, as my noble Friend observed, should be the guide of the course of Government, or whether it shall be only in conformity to the domination of one party. If the House be of opinion that we must consider the wants, and wishes, and interests of the Roman Catholic subjects of His Majesty, then it will be right and consistent to allow the Bill of my noble Friend (Lord Morpeth) near me to be proceeded with; if, however, the House be of opinion that this important point should be altogether omitted from our consideration, then I must admit that the plan of the noble Lord (Stanley) opposite is well worthy of consideration. I contend that the course pursued by hon. Gentlemen opposite involves this consequence—that after the House of Commons has decided upon the principle on which Ireland shall be governed for the future, namely, the principle of justice and equal laws, if we should now rescind that promise and make the cup we have held out to them as bitter as disappointment can make it, if we are now to persist in a course which is degrading to them and which pollutes the source of justice as regards them, we shall have to contend with much opposition and with many obstacles from the feelings which will be manifested by the people of Ireland; and I think likewise, that we should have to contend with the reason and opinion of the people of England, who now are turning their attention to Irish subjects, and will not be willing, I think, to maintain the present system in

Ireland. I have confidence in the English nation, I feel convinced that they will do as they have always done, namely, do as they would be done by, and on these subjects treat their Irish fellow-subjects with regard and affection, and thus lead to a real and complete union of the two countries.

AFFAIRS OF CANADA.

March 6, 1836.

LORD JOHN RUSSELL:—I can assure you, Sir, that I never rose with so much reluctance to make a proposition to the House of Commons, as I now rise to propose the resolutions of which I have given notice, and with which proposition I mean to conclude the observations I am about to make. It is my duty, and it is the duty of His Majesty's Government to which I belong, and of which I stand here as the representative on this occasion, to bring under the notice of the House the affairs of Canada, with a view to the declaration of what is our sense of the conduct of the representatives of the people of Lower Canada, and to ask this House to apply to the necessary services of that colony those sums of money which ought, in the regular course, to have been voted by the Colonial Assembly. I feel that it is necessary, in order to justify us in taking such a course, to show, first, that there is a necessity for interference on the part of Parliament; and, secondly, that that interference should not stop short of that which I shall have the honour to propose. In making this proposition I do so with very great reluctance, yet, at the same time, I feel that the House of Assembly of Lower Canada have the advantage of being represented in this House, and that their case will be stated with as much

ability as they can desire; and that if in any respect I shall wrong them by the proposal I shall have to make to this House, they will have an opportunity of having their claims fully advanced, and their pretensions put in the most favourable light, by the Gentlemen who have undertaken to support their cause. It is likewise a consolation to me to know in bringing forward the affairs of Lower Canada, that the pretensions put forth by the Assembly of that province are not supported by the general concurrence of the other provinces of North America subject to the Crown of Great Britain. It is not now proposed on the part of Upper Canada that there shall be an elective Legislative Council; it is not proposed on the part of New Brunswick, or on the part of Nova Scotia; and with respect to all these colonies, I may say, that the communications which have taken place between the Government and the Houses of Assembly of these provinces tend generally towards a satisfactory adjustment—that they have the prospect, that what they now consider their grievances will be redressed in a manner the most full and sufficient; and, on the other hand, the Crown has every reason to expect a loyal and dutiful concurrence on the part of the Assemblies of those provinces. Therefore, we have not to reproach ourselves with having to contend against the general demand, and the general wishes of the provinces of North America. On the contrary, all the demands are from Lower Canada; raked up, as I believe, in the course of long and unfortunate divisions, and the consequence, as I believe, rather of past irritation than demands founded upon real and practicable wants, without the effectual redress of which we could not hope for future and permanent tranquillity. In so saying, I may likewise say, that I do not propose to cast censure and reproach on the Assembly of Lower Canada for the course they have taken. I consider that

this course so much resembles the course which other popular assemblies have on similar occasions taken, that instead of its being an act of self-will, or caprice, or presumption, it seems rather to be the obligation of a general law which affects all these disputes between a popular assembly on the one hand and the executive on the other; and the course of the proceedings which generally take place strongly impresses this lesson, that popular assemblies are hardly ever wrong in the beginning, and hardly ever right at the conclusion of such struggles. They are generally struggles which begin with seeking a remedy of well-founded and existing grievances, and end with a declaration of suspicion and distrust of all authorities at present existing, the popular party endeavouring to set up some new and unknown government, by which they suppose there will be a means to remedy all future grievances. But if they succeed in their attempts, they seldom end in producing the benefits that are expected from the new institutions. The province of Lower Canada came into the possession of the English Crown in consequence of the successful war which ended in the peace of 1763. It contained at that time about 60,000 souls, who were governed according to the laws of the arbitrary monarchy of France, having for their own especial law one of those inconvenient and local laws known in France by the name of the Customs of Paris. At first, the British Government wished to make it a British colony, to give it a constitution like the other colonies that had fallen into our hands, and make it like other British colonies in every respect. This policy was afterwards changed; and when we entered into the contest with our other North American provinces, care was taken to separate Canada from the appearance of resistance to the British Crown, and to induce the colonists to cling to their own customs, and to become again, as it were, a French colony. With the increase of the people, and the

influx of emigration, it was proposed to introduce a new kind of Government for that province, and Mr. Pitt proposed a Bill which became law in 1791. I think it will be doubted now, both upon abstract grounds and the grounds of experience, whether the main provisions of that Act, or some at least of them, were adapted to secure future good government in that country. One part of the measure of 1791 was to establish an assembly, which should partly consist of hereditary members, and partly of members elected for life by the Government. Another part of the measure was, the separation of the provinces of Upper and Lower Canada, with the intention of making Upper Canada more completely English, and a resort for those emigrants who flocked thither in great numbers, while the lower province was left to become gradually a country of a mixed proportion of French and British subjects. I will not at present touch upon the latter of these two provisions, but I will take the liberty of saying a few words with respect to the former. It seems to me that it was intended to establish in Canada a close resemblance to the British constitution, which I think impossible in any colony. It is not in the power of any one—as the hon. and learned Member for Bath (Mr. Roebuck) argued last year, and, as I think, was very generally admitted—it is not in the power of any one to establish in Canada an assembly which should have that moral influence which properly belonged to the House of Lords in this country; because there is no class of persons who can naturally be pointed out as an hereditary aristocracy in that country, and it would be difficult to select for life any persons whom the rest of the community would generally acknowledge to be worthy of that great honour. It is hardly possible that in the natural course of events the different governors who have been sent from this country should not take different views of the nature of their duties, and of the

persons who were fit to be appointed; and that there should not come to be in the end a very great difficulty in carrying on the Government by an assembly thus created, without any settled system, as there would be no authority like that of the King acting through his ministers, which should be responsible for all appointments that might be made. The evil consequences of the present state of things are agreed to by all parties. The Assembly, on the one hand, complains very much of the existence of the Legislative Council. The petition presented to Parliament last year, and which was sent to the Under Secretary for the Colonies from the Constitutional Association, declared that the power of naming Members of the Legislative Council was a very dangerous one; that it had not been properly executed; and that there ought to be some new check, in order to obtain a proper and due selection of the legislative councillors. So far, I believe, I may conclude that there is some fault or some defect in the constitution of the Legislative Council; but this is not the only subject on which remonstrances have been made, or on which contests have existed for a long time. On the contrary, there are many subjects of dispute, with respect to the nomination of judges, with respect to the disposal of the public money, with respect to the prosecution of certain persons who were defaulters, and various other subjects, which, after continuing for eight years, were still subjects of dispute in the provinces. These matters had been referred by Mr. Huskisson, when he was Secretary of State for the Colonies, to the consideration of a Select Committee of this House; and among the papers printed by the order of the House, there is a minute of the Earl of Aberdeen, which was drawn up by him when he was Colonial Secretary, in which the question is treated with very great calmness and moderation. It shows, that with respect to all the subjects, with the exception of one,

which I shall mention presently, which were brought before the Committee of 1828, the remedies provided by the Government of this country were not only fully that which the Canada Committee recommended, but went beyond the propositions made by the Committee. I will mention an instance of this, and it is a very strong instance. The Canada Committee recommended that a certain duty, which was imposed by the Act of 1774, should be appropriated by the House of Assembly itself as soon as that House of Assembly should make permanent provision for the support of the judges, and for the support of a certain number of officers of the civil government. The Government of this country went beyond that proposal, and by the Act of 1831 they repealed, simply and at once, the provisions of the Act of 1774, as far as it left the appropriation to the Lords of the Treasury of this country, and gave freely and fully to the House of Assembly the appropriation of the funds arising from these duties. It seemed to follow that because the Government and the Legislature of this country dealt this fair and full concession to the House of Assembly, that they should be disposed to make a proper return, by acceding to what the Committee of 1828 considered an indispensable preliminary. On the contrary, they have not hitherto, and, I think, as I shall hereafter show, they do not seem disposed now to make any such provision. There was one recommendation of the Committee which referred to the judges, with respect to whom it was by the Committee proposed that they should be independent as far as their salaries were concerned, but that they should be removable at the pleasure of the Crown. An Act was proposed by Lord Ripon to the effect that the judges should not only have permanent salaries, but that they should hold their offices during good behaviour. The House of Assembly, in return for this, introduced into that Bill clauses

by which they made all the officers of the colony, not excepting the governor himself, subject to a tribunal appointed in the manner there pointed out. Thus they met the concessions largely and freely made by the Government of this country. These proceedings continued; contests upon various points were raised from time to time until, in 1833, a supply Bill was passed, with many conditions tacked to the several items of it, declaring that certain persons should have salaries for such offices, providing, at the same time, that they should not hold any other office, and various conditions of this kind, in consequence of which the supply Bill was lost. In 1834 the House of Assembly passed ninety-two resolutions, which are familiar to this House both in their purport and their language. In 1833 the House of Assembly separated without passing a supply Bill, in consequence of Lord Aylmer refusing to sanction their votes for the contingent expenses. In 1835 Commissioners were sent out from this country, in order to investigate the whole of the subject matter in dispute, and that they might make a report to His Majesty's Government, by which His Majesty should be informed of the whole of the matter in dispute, to be able to judge how far it might be safe or practicable to comply with the demands of the House of Assembly. It is very satisfactory to me that the Commission which was appointed took full time to enter into every topic connected with the propositions made to this country. I think that whatever suffering there may have been on the part of those officers of the Government who claim, and have a right to claim, the protection of the British Crown and the British Parliament to defray the sums owing to them, —I think, whatever public inconvenience may have been suffered in consequence of the delay in the appointment of that Commission, that nevertheless the inestimable advantages derived from it, viz., that we do not now proceed with-

out the fullest and fairest inquiry, and that every subject has been care fully looked into—fully compensate for the time that has been lost. After four years and a half no supply has been voted; and we have come at last to this decisive question, whether or not we can grant some or all of the demands of the House of Assembly, without which no supply can in any case be looked to? It is a great advantage, I think, that we do not appear to proceed in haste or passion, or in ignorance, and that every light which can be thrown on the subject has been thrown upon it—that everything that could be fairly granted to the demands of the House of Assembly has been previously granted—that there is now but one question for this House to consider, whether or not we shall proceed to alter the constitution of 1791, and to alter it in a manner which I shall afterwards show is inconsistent with the relations of the mother country and the colonies; or whether we shall interpose, as in a case of necessity, and a case of clearly and fully proved necessity, to protect the colony itself from disturbance, and to rescue the honour of the British Crown from that which I consider a stain upon it—of leaving the subjects of the Crown unprotected in a situation in which they have been encouraged and even directed by the Government to place themselves? That this is the question is sufficiently proved by the amendment which the hon. Member (Mr. Leader) means to propose. He does not say, neither do those who agree with him say, 'Let not Parliament interfere; allow the colony to continue its course; do not coerce the Assembly of the colony; do not interpose the authority of the imperial Parliament;' but what he says is this, 'It is necessary to interfere; it is necessary that you should consider former Acts of Parliament; it is necessary that you should repeal those Acts and adopt another constitution.' To this question, then, I beg leave to call the attention of the House, and I will only do so generally,

because, though I have been long conversant with the subject, I am not able to enter at length into every demand of the House of Assembly. But I am sure that my learned Friend who sits near me (Sir G. Grey) will be able to give any details that may be necessary. I will go shortly and generally into the questions upon which the House of Assembly make their demand, and I will state the reasons why I think it impossible for us to grant those demands, and the course which I propose to take on this subject. The first demand of the Assembly is, that the legislative council having hitherto been nominated by the Crown, shall for the future be an elective assembly. The next is, that the executive council shall be a responsible council, similar to the cabinet in this country. Another is, that the law of tenures shall be changed without respecting the rights acquired under an Act passed by the British Parliament; and the fourth is, that the land company shall be abolished, with a similar disregard of the rights acquired under the same Act. With respect to the proposition of making the legislative council elective, the effect of it in the present state of the colony must be to make a second assembly exactly resembling that which at present exists. There could be no doubt, from the Report of the Commissioners—and every one who has spoken on the subject seems to have come to the same conclusion—that the second Assembly would be but an echo of the first Assembly, and would try to enforce all their demands. It is proposed in the next place that the executive council should be made to resemble the ministry in this country. I hold this proposition to be entirely incompatible with the relations between the mother country and the colony. The relations between the mother country and the colony require that His Majesty should be represented not by a person removable by the House of Assembly, but by a governor sent out by the King, responsible to the King

and responsible to the Parliament of Great Britain. This is the necessary constitution of a colony; and if you have not these relations existing between the mother country and the colony you will soon have an end to the relations altogether. Then, again, if the executive council were made responsible as the ministers of this country, of course the governor must act according to their advice. If the Assembly do not trust those ministers, if they do not think them fit, they must be removed, and others put in their places. The person sent out by the King as governor, and those ministers in whom the Assembly confided, might differ in opinion, and there at once would be a collision between the measures of the King and the conduct of the representatives of the colony. But this proposition would tend not merely to produce disputes, not merely to try the King's authority, but it would tend to introduce authorities totally incompatible with the authority which the King seems to have over every colony. There is an obligation, for instance, on the Government of this country, to prevent any British subject being injured with impunity. If the executive council be appointed through the influence of the House of Assembly the consequence would be that the ministers thus appointed must carry into effect the acts of the Assembly, and must deprive persons of land or other possessions, though holding them under the laws of this country, and by virtue of an Act of Parliament. Let it be considered, that these measures must be carried into effect not merely by the forces of the colony, not merely by the Assembly, but in the King's name, and by means of the King's forces in that colony. Let me suppose this case, that the King sends out certain orders to the governor in conformity with the existing laws. The law in the mean time is changed by the Assembly, and the consequence might be that the King's troops would be obliged, in obedience to the orders of the ministers of the Assembly,

to carry into effect those orders in defiance of an Act of Parliament, and tending, perhaps, to the injury and destruction of the King's subjects holding property according to law. It may be maintained that there is justice in the attempt to give an executive to the colony which should be responsible to the Assembly in the same manner that the ministers in this country are responsible to this House. That part of the constitution which requires that the Ministers of the Crown shall be responsible to Parliament, and shall be removable if they do not obtain the confidence of Parliament, is a condition which exists in an imperial legislature, and in an imperial legislature only. It is a condition which cannot be carried into effect in a colony—it is a condition which can only exist in one place, namely, the seat of empire. Otherwise we should have separate independent powers, existing not only in Great Britain, but in every separate colony. In such a case the Government would be unable to carry its measures or wishes into effect, and each colony would, in effect, be an independent state, with this singular anomaly, that the executive chief nominated by the King of England, and the troops and forces of the King of England, might be employed to carry the orders of the House of Assembly into effect. That is, therefore, a condition which it is impossible to have consistently with the relations between the mother country and the colony. With respect to the other points of the tenures and the Land Company, in looking through the measures of the House of Assembly I do not find that they made any laws upon this subject; on the contrary, they seem to infer that these Acts of the British Parliament were acts of usurpation altogether, and that they would be fully justified in repealing those Acts, and in acting according to their own discretion with respect to any persons who may have acquired property and rights under these Acts. It is neither

possible for the Crown or the Parliament of Great Britain to yield the rights of those persons, and after the passing of a solemn Act of the Legislature to say that those rights shall be disregarded and set at nought, because they do not agree with the views of the House of Assembly. And as far as I can conceive, the only remedy that is left, according to the views of the House of Assembly, is for the British Parliament to vote compensation to such persons, and to provide for them out of the funds of this country. This is the resource left to us—a resource worse than that which we were compelled to accept from others of our American colonies after a most disastrous war. I feel assured that this House will think that they are justified in taking under their protection those persons who have suffered in consequence of Acts passed by this and by the other House of Parliament. If the House were to concur in the views of the House of Assembly, taken as a whole, what would be the consequence? Canada would cease to be a colony, and would be regulated by an authority there independent and subversive of the power of the British Crown, and having all the inconvenience of a colony with none of its advantages. But there would be this anomaly also: if Canada were really independent, if any subject of Great Britain were wronged there, the King of Great Britain, as in the case of any other foreign power, could interfere to see that the wrong was redressed; but according to the demands of the House of Assembly, if a subject of the King of Great Britain were wronged on the banks of the St. Lawrence, the King of Great Britain would not have the power to interfere, which he would have if the wrong had been committed on the banks of the Danube or the Bosphorus. I ask Gentlemen to consider what will be the effect of these propositions of the House of Assembly. One objection is stated by the Commissioners, and stated for a reason which I think all sufficient in the present

state of the colonies, to prevent our acceding to the demand for an elective Legislative council. With respect to a Legislative council, they state that there is no reason with respect to the abstract consideration why there should not be an effective Legislative council in the colony as well as one nominated by the Crown; but in the present condition of Canada, they cannot imagine a state of circumstances,—they cannot imagine a body of constituents of such a nature, so different from the body which constitutes the present House of Assembly, as to have an independent assembly appointed in the manner of an election, and not by the nomination of the Crown. But they state that, whatever may be the result come to upon abstract speculation, that this is not the case in Canada; that the case of Canada is such, that if you yield to these demands a great portion of the King's subjects, namely, those of British descent, will be excluded altogether from a voice and representation in the two assemblies; that that portion consisting of 120,000 of our fellow-subjects, persons of considerable wealth and intelligence, and who are engaged principally in commercial pursuits, would consider themselves so far abandoned, so far unprotected, that it was not likely that the peace of the colony would be preserved, but that they would oppose and resist the Government as a Government from which they could expect no security for life and property. They conclude that whatever might be the result of speculation on this subject, and though their views, as far as regarded them individually, were in many respects dissimilar, yet they all agreed in this, that in the present state of the colony it would not be possible, with security to the subject and tranquillity to the colony, to grant the demands that were made. I consider—these Commissioners having, as I stated, in many respects entertained dissimilar views upon many questions that came before them—I consider that there must have been a very

strong impression that the present state of the colony was such that it would be unwise and unsafe to introduce an elective council into that colony. I think that the report of the Commissioners affords sufficient reasons for the opinions to which they have come. Having thus stated why, in the opinion of his Majesty's Government, it is impossible to yield to the demands which have been made by the representative assembly of Lower Canada, I shall now proceed to state the views which we have taken of the whole case, and of the remedy by which we propose to put an end to the difficulties which have arisen in consequence of these occurrences. The first difficulty is the payment of the judges and of the King's officers in the colony. When it is recollected that it is now four years and a half since the judges have received their salaries, during which period they have been left entirely to their own resources for support, the House will, I think, consider that it is high time for us to come forward and interpose the authority of Parliament in their behalf and rescue those officers from the state of distress which must necessarily result from a protracted continuance of this state of things. Had we followed the advice of the Commissioners upon this subject, we should have come forward last year and demanded of Parliament the means of paying the arrears justly due to these officers; but it was thought that as some misunderstandings appeared to exist between the Assembly of Lower Canada and Lord Glenelg, it would be desirable to give them an opportunity to reconsider the subject once more, and wait to see if they still persisted in refusing these payments. With regard to the propriety of the proceeding which I am about to recommend, I apprehend that it is undoubtedly in the power of the imperial Parliament to interfere in colonial affairs, whether in legislative matters or in supply, when a pressing occasion occurs for so doing. In legislative matters we had recently

an instance in regard to Jamaica, where we interposed our authority to continue an act of great importance, which the colonial legislature had omitted to pass within the proper period. In matters of supply, also, I have as little doubt that in cases of great necessity it is in the power of Parliament to employ all the means in its hands to appropriate the proceeds of the taxes raised in a colony to certain public services in a colony to which they are under ordinary circumstances applied. This principle was admitted at the bar of the House of Commons by Dr. Benjamin Franklin, who in regard to the Assembly of New York, was asked, whether, if a colony were altogether to refuse supplies, the imperial Parliament could interfere, and he replied that 'he could not conceive such a case to occur, though they had in some cases refused to grant permanent salaries to the officers of Government, and he thought very wisely so.' He was then asked again, 'whether in cases where interference was justifiable, the right of interfering ought not to be in the Parliament of Great Britain?' To which he replied, 'that he would have no objection to it, provided the power were only used for the use and good of the colony itself.' Now this is a limitation in the justice of which I fully concur; for if we were to attempt to order the appropriation of the funds raised in the colonies to the use of the mother country, it appears to me clearly that we should be far overstepping our province and our authority. What I propose, however, to-night is simply to apply a certain portion of the revenues of Lower Canada to the payment of such items as the Representative Assembly have already agreed to in their votes of supply in the year 1833. The total amount is 148,000*l.*, and my purpose is only to order the payment of that sum for those purposes which the Assembly has already admitted, and not for any which in 1832 it may have refused to agree to. The next consideration is the manner in which the Government of

the province is to be carried on in future, and the nature of the legislative council which is to be adopted. We propose to adopt the recommendation of the Commissioners, that judges shall be excluded by law from this council, as also all persons guilty of any disgraceful offence; and that no person shall be appointed to it until his name has been sent over here by the governor of the province. With regard to the principle or predilections upon which persons have been selected for appointment to the legislative council, I believe it has been too much the practice to select them almost entirely from amongst persons of British extraction, who form but a small numerical minority in the province, whilst the Representative Assembly is composed in great part of persons of French extraction, who are the majority in point of numbers, and whose views and interests in many matters are entirely at variance with those of the minority. I must say that the manner in which governors of the province have lately acted upon the authority vested in them by the acts of 1791 in this particular has not been judicious, and I consider that to select the members of the Legislative Council alternately, one from the British and one from the French stock, would be far preferable, as well as more in accordance with the practice in the earlier periods after the passing of that Act. Of course the governor should take care to appoint a person of sound discretion and of good character and standing in the colony, but at the same time no undue preference should prevail in favour of one particular class to the exclusion of others, keeping up and fermenting a perpetual opposition and jealousy. I think by thus adopting many persons who had no hope of appointment hitherto, and by excluding all persons of doubtful character, and especially those who have been public defaulters, we shall go a great way towards effecting a reconciliation to differences upon this point. This, however, should of

course be left as a matter of discretion, and not as a positive rule. In the next place, with regard to the composition of the Executive Council, I propose that there should not be more than two or three official persons in that Council, and that the rest of the Council should be selected from the Legislative Council and the General Assembly. It is proposed also that they should not enter into the discussion of any subject not immediately connected with the province except upon advice of the Governor. I propose further that the Governor shall be at liberty to act in a matter contrary to the advice of the Executive Council if he think proper, but that on so doing he should make a minute of the occurrence. By this means, whilst we give the members of the Executive Council a proper degree of control in the affairs of the government of the colony, we also leave the Governor a discretionary power to act by himself when he conceives the duty of his office and his general instructions require it. The next question to which I have to allude is the North American Land Company. This association, I believe, has been of great use to the colony; many settlers have obtained advantages from it which they could not have hoped for, either from the Government or from their own individual exertions and resources. I see no reason to differ from the resolution of the Commissioners in respect to this point. No doubt the Land Company might acquire possession of a greater extent of land than it would be judicious to allow it to possess; but a provision might, without much difficulty, be framed to restrain such an abuse. The Assembly, it appears, pretend that the Act of 1791 gives them the supreme control over all the wild land of the province—a pretence which I cannot agree to, as the Crown has never parted with its right to grant charters for the purposes of planting or clearing as it may think fit.

Another subject upon which much complaint has been

made is the Act passed in this country in reference to tenures. This Act is complained of upon two grounds—first, that it was originally framed in ignorance of the tenures of the colony; and, secondly, that it does not provide a means of voluntary commutation. The Commissioners considered both these opinions to be well founded, and propose that as soon as any Act on the subject shall have been passed by the colonial Legislature, Parliament should repeal the above Act. In doing this, however, I need hardly observe that great care should be taken that the vested rights of individuals under the existing system be not prejudiced. Another complaint of the Canadas against the Act of 1791, especially on the part of Upper Canada, is the embarrassment which arises out of it to the trade between the two colonies. A newspaper which I hold in my hand complains that every boat which comes from the lower provinces is subject to inspection at the Custom-house and forced to pay duty, and that the passengers from Great Britain passing by this route are also subject to pay certain dues of this kind. It complains, farther, that the general division of the duties is unfair, and, above all, that they have not a full vent for their merchandise by the St. Lawrence; for it appears that in the upper province, by the Act of 1791, they have not the means of communication with the sea, and consequently with foreign parts, without the payment of considerable duties, while other impediments are thrown in the way of the trade of Upper Canada in Lower Canada. With respect to this and many other questions of the like kind I think it highly desirable that some satisfactory adjustment of difference should at least be attempted. At present, instead of the two colonies helping and strengthening one another, they seem to be a mutual hindrance and mutually injurious to each other's commerce. With a view to the adjustment of these differences it is proposed

with the assent of the Legislatures of the two provinces, that a joint Committee should be appointed, to sit at Montreal, and which Committee should be composed in the following manner, namely, of four members of the Legislative Councils of each province, and of eight members of each Representative Assembly, making twenty-four persons in all, who should have the power to prepare laws upon all these points of reciprocal policy. One of the most important matters which would come under their notice would be the navigation of the St. Lawrence. Another would be the settlement of matters of commerce between the two provinces. Another point would be the constitution of some fair court of appeal, and of impeachment for judges and other officers of the executive, while under existing circumstances the accusing body would be at once both the accuser and the judge. The Committee would also have to direct its attention to the line of boundary. It is hoped that upon many of the points I have adverted to, this Committee would be able to devise measures by which the mutual interest and the good government of the two colonies would be greatly improved. With regard to the matters of supply to which I have already alluded, it is proposed that, after securing the civil list, and the salaries of the judges and of certain Government officers, the whole revenue of the colony should be left to the disposal of the Assembly. The Assembly would hardly wish for more than this; they would hardly, I think, wish to see the judges' salaries made dependent on the annual vote of the Representative Assembly, instead of the judges holding the independent position which their important office so peculiarly demands. Putting these few items, therefore, out of the question, the Assembly would still have to dispose of the greater portion of the revenue of the province for purposes of national improvement, as the formation of roads, &c. In this situation,

without any direct tax, without any debt, and while the whole revenue is raised by means of duties upon commerce, which the Assembly may apply as it thinks proper to internal improvements, and necessary expenses, the Canadas enjoy as desirable a state of things as it is possible to conceive. With respect to any injuries or disadvantages which the Canadians allege to be inflicted by the law, I can only say that they do not appear in any of the petitions before us. That the House of Assembly should be entirely elected by the Canadians, that the Executive Government should be nominated by the Crown, but with certain conditions and securities, and that the House of Assembly should come to some arrangement with the upper province on the subject of trade and other international matters; such are the general propositions which we desire to submit with a view to bringing these complaints to an adjustment. With respect to the wild lands, they are, as I said before, in the hands of the Crown. The rule now is, not to make the same improvident grants as formerly, but to sell the land at a fair price; the House of Assembly having the general control of the revenue, leaving only to the Executive such superintendence in matters of detail which is usual both in the mother country and in the colonies. According to this view of the case, I think it can hardly be denied that these colonies are in the enjoyment of as great a portion of political freedom, and of personal immunity from oppression, and of as great power to make wholesome laws, as any persons at home. They certainly do not possess some privileges in the imperial government of the colony, which it is not in the nature of colonists to possess. At the same time, however, it should be borne in mind that they are exempt from the payment of taxes which we have to pay. Their taxes, on the contrary, are exceedingly light, and their means of internal improvement very great and very

promising. Such is the condition of these colonies, and such will be their prospects if they accept the propositions which I have now brought forward. If, however, they take an unfavourable view of these proposals—if they persist in maintaining that it is absolutely necessary that there should be an elective Legislative Council and an Executive Council subservient to the Representative Assembly, then it must very shortly come to this, that they should also have a governor of their own nomination, for none other would do their bidding. If this be the proposition of the Assembly of Lower Canada, it is in another form nothing else than demanding the total severance of the colony from the mother country. This is a demand which, if it be persisted in, must drive Parliament to the necessity of saying, whether there is any other form of colonial constitution under which the Canadas can be governed than that embodied in the Act of 1791. But to these addresses, by which the dignity of Parliament and of the country is impaired, and by adopting which we should be made responsible for acts in which we do not concur, and which we do not think desirable, I cannot agree. I, however, do not suppose that these colonies will persist in their demands; but if they do still hold out, we have not the means of carrying on the government of them here in continual resistance to their Assemblies. I do not propose to do away with the constitution of 1791; but if the colonists are desirous of retaining that constitution, and will agree to carry it on in the fairest way, that constitution may be so carried on by the steps we are about to propose. I do not think that we could carry on the government of the colony without the Legislative Council; and I wish to have the advice of Parliament on the subject, whether we should yield to demands which we consider would amount to the abandonment of the colony altogether or whether we shall adopt the course I now propose, by

which I hope to induce the colonists to reconsider the whole matter in dispute, and see whether those disputes have not arisen in a great part out of feelings of irritation consequent upon former disputes, and to offer such practicable measures as may induce them to abandon the greater number of those complaints. The noble Lord concluded by moving the first of the following Resolutions:—

'1. That since October 31, in the year 1832, no provision has been made by the Legislature of the province of Lower Canada, for defraying the charges of the administration of justice, and for the support of the civil government, within the said province, and that there will on April 10 now next ensuing be required for defraying in full the charges aforesaid to that day, the sum of 142,160*l.* 14*s.* 6*d.*

'2. That at a Session of the Legislature of Lower Canada, holden at the city of Quebec, in the said province in the months of September and October 1836, the Governor of the said province, in compliance with his Majesty's commands, recommended to the attention of the House of Assembly thereof the estimates for the current year, and also the accounts, showing the arrears due in respect of the civil government, and signified to the said House his Majesty's confidence that they would accede to the application which he had been commanded to renew, for payment of the arrears due on account of the public service, and for the funds necessary to carry on the civil government of the province.

'3. That the said House of Assembly, on October 3, 1836, by an address to the Governor of the said province, declined to vote a supply for the purposes aforesaid; and by the said address, after referring to a former address of the said House to the Governor of the said province, declared that the said House persisted, amongst other things, in the demand of an elective Legislative Council,

and in demanding the repeal of a certain Act passed by the Parliament of the United Kingdom in favour of the North American Land Company; and by the said address, the said House of Assembly farther adverted to the demand made by that House of the free exercise of its control over all the branches of the Executive Government; and by the said address, the said House of Assembly farther declared, that it was incumbent on them, in the present conjuncture, to adjourn their deliberations until his Majesty's Government should, by its acts, especially by rendering the second branch of the Legislature conformable to the wishes and wants of the people, have commenced the great work of justice and reform, and created a confidence, which alone could crown it with success.

'4. That in the existing state of Lower Canada, it is unadvisable to make the Legislative Council of that province an elective body; but that it is expedient that measures be adopted for securing to that branch of the Legislature a greater degree of public confidence.

'5. That while it is expedient to improve the composition of the Executive Council in Lower Canada, it is unadvisable to subject it to the responsibility demanded by the House of Assembly of that province.

'6. That the legal title of the North American Land Company to the land holden by the said Company, by virtue of a grant from his Majesty, under the public seal of the said province, and to the privileges conferred on the said company by the Act for that purpose made, in the fourth year of his Majesty's reign, ought to be maintained inviolate.

'7. That it is expedient, that so soon as provisions shall have been made by law, to be passed by the Legislature of the said province of Lower Canada, for the discharge of lands therein from feudal dues and services, and for removing any doubts as to the incidents of the tenure of

land in fee and common soccage in the said province, a certain Act made and passed in the sixth year of the reign of his late Majesty King George IV., commonly called "The Canada Tenures Act," and so much of another Act passed in the third year of his said late Majesty's reign, commonly called "The Canada Trade Act," as relates to the tenures of land in the said province, should be repealed, saving nevertheless to all persons all rights in them vested under or by virtue of the said recited Acts.

'8. That for defraying the arrears due on account of the established and customary charges of the administration of justice, and of the civil government of the said province, it is expedient, that after applying for that purpose such balance as shall, on the said 10th day of April, 1837, be in the hands of the Receiver-General of the said province, arising from his Majesty's hereditary, territorial, and casual revenue, the Governor of the said province be empowered to issue from and out of any other part of his Majesty's revenues, in the hands of the Receiver-General of the said province, such further sums as shall be necessary to effect the payment of the before-mentioned sum of 142,160*l.* 14*s.* 6*d.*

'9. That it is expedient that his Majesty be authorised to place at the disposal of the Legislature of the said province, the net proceeds of his Majesty's hereditary, territorial, and casual revenue arising within the same, in case the said Legislature shall see fit to grant to his Majesty a civil list for defraying the necessary charges of the administration of justice, and for the maintenance and unavoidable expenses of certain of the principal officers of the civil government of the said provinces.

'10. That great inconvenience had been sustained by his Majesty's subjects inhabiting the provinces of Lower Canada and Upper Canada, from the want of some adequate means for regulating and adjusting questions respecting

the trade and commerce of the said provinces, and divers other questions, wherein the said provinces have a common interest; and it is expedient that the Legislature of the said provinces respectively be authorised to make provision for the joint regulation and adjustment of such their common interest.'

POOR LAWS (IRELAND).

February 13, 1837.

LORD JOHN RUSSELL: I beg to move the Order of the Day for the House resolving itself into a Committee of the whole House on so much of the King's Speech as relates to the establishing of Poor-laws in Ireland.

LORD JOHN RUSSELL then rose and spoke to the following effect:—I feel, Sir, the extreme importance of the subject which I am about to bring under the consideration of the House; at the same time I feel it is one which, while it has received much discussion, while it has been the subject of a report made by Commissioners appointed by his Majesty, who collected a great deal of information in relation to it, is likewise a matter which I can rely confidently the House thus prepared will come to the consideration of, not only with the necessary information at its command, but with a desire to form a safe and dispassionate conclusion. I will preface what I have to say on the subject of Poor-laws for Ireland with some few observations as to the advantages which may be derived from poor-laws in general, the manner in which a poor-law should be applied, and the abuses to which it is subject. These are matters which are illustrated, I think, very fully and sufficiently in the history of this country. It appears from the testimony both of theory and of experience that when a country is in such a state that it is overrun by numbers both of marauders

and of mendicants having no proper means of subsistence, who prey on the industry of the country, and rely on the indulgent charity of others, the introduction of poor-laws serves several very important objects. In the first place a poor-law acts as a measure of peace, enabling the country to prohibit vagrancy and those vagrant habits which are so often connected with outrage. It acts in this way by the very simple process of offering a refuge to those who rely on outrage as a means of subsistence. It is an injustice according to the common sense and feeling of mankind when a single person or family are unable to obtain the means of subsistence, when they are altogether without the means of livelihood from day to day, to determine that they shall not go about the country to endeavour to obtain from the charity of the affluent that which their poverty has denied to them. But when once you can say to such persons—here are the means of subsistence as far as sustenance is concerned—when you can say this on one hand you can say on the other, you are not entitled to demand charity, you shall no longer infest the country in a manner injurious to its peace, and which is favourable to imposition and outrage. Another way in which a poor-law is beneficial is, that it is of itself a great promoter of social concord, showing a disposition in the state and in the community at large to attend to the welfare of all classes. It is of use, also, inasmuch as it interests more especially the landowner and persons of property in the country in the welfare of their tenants and their neighbours. A person possessed of considerable property, who looks only to receive the rents of his estate, may be careless as to the number of persons who may be found in a state of destitution, in a state of mendicancy, or ready to commit crime and act as marauders in the neighbourhood of his estates; but if he is compelled to furnish means for the subsistence of those who are destitute, it

then becomes as well his interest as his natural occupation to see that all persons around him are well provided for, that they are not in want of employment, and that his immediate tenants can live in a state of comfort. I conceive that those objects, and several others which are collateral to those, were obtained by this country by the Acts passed in the reign of Elizabeth. When we look to the state of the country immediately preceding and during the greater portion of that reign we should be inclined to think, if we viewed it as a matter of not so remote a time, but nearer to our own time and to our own neighbourhood, that it must have been very difficult to bring the country into that condition of peace, order, and civilisation which it now enjoys. We are told with respect to the reign of Henry VIII., that no less than 70,000 persons were executed in this country for theft and various crimes. We are also told by a magistrate of the county of Somerset, who wrote in the reign of Elizabeth, that in that county alone forty persons were executed in the year for theft and other lawless practices; and the county was in such a state of insecurity that the cultivators of the soil found great difficulty in protecting their herds and flocks and crops from robbery. Gangs, comprising no less than sixty persons, sometimes attacked them. Such was the state —not of that county alone—but of most of the counties in England. The writer adds, that the forty persons who were executed in one year did not constitute more than a fifth of all those who were guilty of similar offences, but the remainder escaped prosecution altogether. A number of other instances might be furnished of the deplorable state of the country at that period. In London, such was the extent of crime, that a commission was issued empowering a certain high officer to execute martial law in the streets, and persons found committing depredations in the street were taken up under that commission, and

hanged without trial. Evidently, that was a barbarous state of society, which it was most difficult to remodel; but the means taken were many measures combined. Various changes were made, both with respect to the law and the police, into which I need not enter on the present occasion; but there was one in particular, which, I think, tended to the improvement of the country, to the establishment of peace, and to the creation of that which I consider almost the greatest benefit that can be conferred on any country, namely, a high standard of comfortable subsistence for the labouring classes—that one was the establishment of poor-laws. That much was effected by the Act of the 14th of Elizabeth, and by other Acts, cannot be denied, but the improvement was effected chiefly by the great Act of the 43rd of Elizabeth. The principle of that Act was, that the infirm, the cripples, the orphans, and impotent persons, should be relieved by the public, and that able-bodied persons, unable to procure employment, whereby they might obtain their living, should be set to work. The Act in question was founded on principles adapted to that time, and which, I have no doubt, were applied with great effect. Such, then, I conceive to be the main use of a poor-law. I may here mention that a short time after the passing of the 14th of Elizabeth, an Act was passed in Scotland enacting a system of relief for the poor, but leaving out that part of the law which provided that able-bodied persons should be set to work. The Scotch Act provided compulsory relief for those who were unable or incompetent to work. It was a long time before any considerable mischief was found to arise from the English poor-law. No doubt many abuses arose in particular parts of the country. There were abuses stated by a writer at the beginning of the last century, but it was not till towards the end of the century that some very fatal abuses prevailed. I conceive it was the

object of the poor-law of Elizabeth to provide, in the first place, for the relief of those persons who were infirm and unable to work; and in the next place, by compulsory measures, to set able-bodied persons to work—to set them to hard labour, which was distasteful to them, and, in fact, to place them in a situation inferior to that of the able-bodied independent labourer. But there arose, about the end of the last century, from circumstances which occasioned a great scarcity of provisions, the cause of which I need not go into now—there arose a notion that the principle of the poor-law was, that all persons, whether industrious or idle, whether deserving or undeserving, were entitled to be maintained by the parish funds. The evil of this system soon began to be felt. It was impossible that such an opinion of the law could be carried into practice without occasioning the greatest evils. For a long time the idle and profligate found it more to their interest to live on the parish funds, than to obtain their livelihood by the regular course of employment; they found that they possessed greater advantages, living in that way, than if they had sought regular employment, and had relied for the means of subsistence on their character and industry. I am alluding now to facts that are so notorious, that I need not go into them. I will only refer to one case, which is mentioned in the report of the Commissioners. It is the case of Soulbury, where the poor increased to such an extent, that the landlords gave up their land, the farmers gave up the occupation of their farms, the clergyman gave up his tithes, and the whole parish was left in the undisputed possession of the paupers. It was, after many inquiries into these abuses, that the Poor-law Amendment Act was introduced into Parliament, and became law. The principle of that Bill, as I conceive, is to act fully and fairly on the principle of the 43rd of Elizabeth; is to place the pauper labourer, the pauper who cannot find work, and the

infirm who apply for support, in a situation more irksome than that of the independent, industrious, and successful labourer. Now the means by which this is accomplished are, by offering all such persons a residence in the workhouse; by giving them, as the Poor-law Commissioners state—and I will not enter into the dispute whether that is the case or not—a sufficiency of food, warm clothing, and a comfortable warm residence; but, at the same time, placing them under a certain degree of confinement; so that, while they have the necessary clothing, the means of subsistence, and often a warmer residence in the winter, than the independent labourer possesses, yet the restraint is so irksome to them, that they are not willing to subject themselves to it, except when really in a state of destitution. This has been proved clearly by the Assistant Commissioners to be the manner in which the new Poor-law works. I have consulted two of the Commissioners, with whom I happen to be acquainted, on the subject, and they both say the food is wholesome, and the workhouse accommodation is better than that possessed by the independent poor, but the confinement renders it irksome, and, in that way, the workhouse becomes a place that the poor would gladly avoid the necessity of having recourse to. It is to these principles, and to this experience, that we must look very much as a guide, in forming any Poor-law which we wish to introduce for Ireland. We ought to be unwilling, on the one hand, to introduce a system which will generate the abuses which have resulted from the English Poor-law; we ought to be very willing, on the other hand, if we can, to introduce some of those good effects which have resulted to England from her system, while we avoid the injurious consequences I have adverted to. The Poor-law Commissioners for Ireland, in the course of last Session, made a report which was laid before this House, in which they recommended many measures of improvement for Ire-

land, and in which they suggested certain measures with regard to the indigent. It is this measure with regard to the relief of the indigent, to which I would call the attention of the House, as the principal object of the Bill I am now about to introduce. The other suggestions for the general improvement of Ireland, though I may touch on them this evening, I propose to leave for future consideration. The Poor-law Commissioners, with regard to this question of immediate relief of the destitute, propose, in the first place, that a large class of persons should be provided for, at the public expense, by means of a national and local rate. They advise also that there should be money afforded for emigration, and that depôts should be provided for persons preparing to emigrate. In considering that report, great doubts occurred to his Majesty's Ministers, whether it were a good principle to provide only for certain classes, and whether those depôts for emigration could be safely and advantageously adopted. It appears from every reflection of the subject, that there can be no reason for saying there are to be only certain classes to which relief is to be extended, if we are prepared to administer relief. The different classes to whom it is proposed to give relief are here enumerated:—The noble Lord here read an extract from the last report of the Commissioners for inquiring into the state of Ireland, and stating that, in their opinion, relief ought to be given to lunatics, to persons who were deaf, blind, and all the labouring poor that were infirm; that they should be supported within the walls of public institutions: that for the sick who remained at home, there ought also to be institutions to supply them with medicines; that helpless widows, with children, ought to be supplied, as well as other persons similarly situated; and also suggesting the support of persons intending to emigrate. The noble Lord then continued by saying, Now this enumeration contains so many persons, there are so many

classes of persons embraced in it, that you could not, if you undertook to provide for so many classes, exclude others. Including these, I certainly cannot see what objection there can be to provide for the destitute and able-bodied man. There are some persons in this list—such as the incurable lunatic, the helpless widow with young children, or the sick man—in circumstances which seem to us calculated to excite individual compassion, and not circumstances to which exclusive national regard ought to be had. If a person in the five-and-twentienth year of his age, in the full possession of his health and strength, be unable by his industry to obtain a livelihood, or, if he have not the means of support, were to stand at the doors of one of those public institutions starving, in want of support, and who was likely, if not relieved, to die in a few days, I cannot understand the principle that would distinguish a person in that case as one to whom you would not give relief, while you are giving relief to the young and the infirm. The real principle to be adopted on this subject is, to afford relief to the destitute—and to the destitute only; and it would, in my opinion, be quite as wrong to refuse relief to the able-bodied person in that situation, as to afford relief to the cripple, to the widow, to a blind, a deaf, or a dumb person, who was in a state of affluence, and had other means of support. It is not, then, the peculiar circumstances which excite individual compassion that we are to regard; but, if we have a Poor-law at all, it ought to be grounded on destitution, as affording a plain guide to relief. Then, with respect to the other proposition, that there ought to be a penitentiary, to which the paupers ought to be sent, and that there ought to be depôts for those intending to emigrate; if you are willing to adopt a plan to that extent, of having a penitentiary for vagrants, and depôts for emigrants, it is, I say, far better to adopt the workhouse system at once; because, if you have a depôt for

emigrants, it will afford, as it appears to me, great ground for abuses. Suppose you get 500 or 600 persons in a depôt for emigration, it will be difficult to apply to them that restriction, and enforce that discipline, which you could do if they were in a workhouse. It may be said, that they are merely passengers—that they are in a sort of public inn or hotel, until they take their passage, and they are not, therefore, to be treated as paupers entirely dependent for support upon the public. Thus, then, they cannot be restricted, nor placed under the same discipline as if they were in a workhouse; and besides, there is no security that they will avail themselves of emigration; for, supposing 300 out of 500, who have been for two or three months in one of those workhouses, are told that the ship is ready in which they were to have embarked, and they refuse to go, what means have you to compel them, unless you resort to that which would be so odious as to be impossible to be carried into effect, that is, forcing men to emigrate? Thus, then, after supporting them in the depôt, you must let them go at large, and they would only go to persevere in their usual habits of vagrancy. It appears, therefore, to us, that you could not adopt that part of the recommendation of the Commissioners, without a great deal more of consideration than the plan proposed by the Commissioners appears to us to have received. And deeply impressed, as we have been, with the responsibility that attaches to a Government which proposes a law upon this subject, it occurred to us, that the best method of forming a judgment on the subject was, to see whether that law which, as amended, has been applied to England, could be enforced in Ireland with advantage to that country. For this purpose I requested Mr. Nicholls, one of the Poor-law Commissioners, and who is well known for his worth, abilities, and intelligence, to go over to Ireland, and ascertain on the spot whether anything

resembling the machinery of the English Poor-law could be applied there. I should mention here, that Mr. Nicholls, who has had great experience upon this subject, had, in one district in this country, adopted an improved method in the working of those laws, even before the amended law was carried; but this also ought to be stated, that in the early part of last year, he drew my attention to the subject of a Poor-law for Ireland, and I have been in constant communication with him on this matter, since the commencement of the Session of 1836. As I was sure that he was qualified by abilities and experience, so was I also aware that he would carry into the examination of this subject equal caution and zeal. Mr. Nicholls, then, proceeded to Ireland, and the result of his inquiries is, that, supposing it was expedient to extend a Poor-law to Ireland, there was no effectual obstacle, no sufficient objection to the establishment of a Poor-law in many respects resembling the amended Poor-law in England. The reasons of that opinion are given at considerable length in the report which I have had the honour of laying this day upon the table; and I will now state generally what are the reasons given in that report, and why I think it is expedient to establish a Poor-law in Ireland, and to describe what is the nature of the Poor-law that I mean to propose. I think there can be no doubt of its expediency, if the House will bear in mind the description which I gave of this country in the reign of Queen Elizabeth—there can be no doubt that there have prevailed in Ireland many outrages consequent upon vagrancy and destitution, and the people being left without remedy or relief. It has happened in Ireland (I do not now inquire as to the causes, but the fact cannot be disputed), that while the people themselves have not improved in their condition, that the population has increased very much in numbers; that there has been this increase in population

while there has scarcely been an increase in the means of subsistence, and a lowering of the standard of subsistence. So that, after a long period, it is found that there prevails in Ireland, according to the Report of the Poor-law Commissioners of Ireland, such an overplus of labour, that four agricultural labourers in Ireland only produced as much as one agricultural labourer produces in England. That, it is to be observed, cannot fairly be attributed to a want of industry amongst the Irish people; on the contrary, we have it in the evidence of those examined by Mr. Lewis, and particularly from one gentleman of Birmingham, that he never found the Irish labourer refuse work, or fail to perform it to the utmost of his industry and capability. There is not, then, a want of industry amongst the people. It is the country that has been allowed to be in such a state that industry cannot succeed in it. It is admitted, that the only subsistence of the peasant is derived from the land which he has—it is the produce of his small holding—it is not from the gain of regular wages; and where there are regular wages received in particular districts, these wages are received only by a part, and not by the whole, of the labouring population. The peasant gets his subsistence out of his small holding; the labourers live upon the potatoes raised by themselves out of their small portion of land; and it is by means of their possession, and the use of their industry, often very ill-directed, and not by the application of wages for labour, that they are able to maintain existence. It is stated by the Poor-law Commissioners (though that is a statement of which I doubt the complete accuracy), that there are nearer to three than two millions of people, for a certain portion of the year, in an entire state of destitution. There is no doubt whatever of this, that a large portion of the people of Ireland, especially those not having land, do practise mendicancy for a great portion of the year. I have made

some inquiry with respect to the amount and extent of the relief thus afforded to that mendicancy, because it is to be considered, that when we say we will adopt a poor-law (and that we should adopt one is my opinion), it is to be remembered, that a very considerable tax is now raised on the farmers of that country by mendicants, and which, I may say, is now raised as a compulsory rate. With this view, I asked of my noble Friend who sits near me, the noble Lord the Secretary for Ireland, to obtain as accurate an account as possible of the amount paid in this way, from two or three farmers, in ten or twelve districts—the amount that was paid for rent, the amount paid for tithes, the amount paid to the Roman Catholic priests, and the amount paid to mendicants. The result is, I should say, that in most cases a shilling an acre is paid in the course of the year by the farmers, for the support of mendicants. In some cases it has been sixpence an acre, in others ninepence an acre; but in one case, where a person had a farm, not very considerable in size, it was more than two shillings an acre. That person paid 10*l.* a-year, not in money certainly, but in food. There was more than two shillings an acre paid for mendicity. Now, this is in itself a very heavy tax, and which cannot be assumed, upon the whole, to amount to less than between 700,000*l.* and 800,000*l.*, perhaps a million, in the year. And let it be observed, that this practice of mendicancy, which raises so vast a sum in the country, is not like a well-constituted poor-law, which affords relief to the really indigent. It is the practice, in Ireland, for the farmer to give relief to the mendicant who asks for it—the potatoes are there ready for him—there is no inquiry into the circumstances of the mendicant: generally it is not near home that he begs, and the farmer has no means of knowing him. But that which seems to afford relief to the distressed, also promotes and maintains impostors. We have a statement

with respect to England which shows the advantage that mendicancy obtains from imposture. A medical gentleman has stated with respect to Suffolk, that he has, during the continuance of the old Poor-law, discovered every species of the simulation of disease. Some pretended to be affected with catalepsy, some pretended to be cripples, and the shamming of some of the most agonizing and excruciating diseases was practised, and all this for the purpose of receiving relief from the parish. It cannot, then, be supposed that in Ireland, where mendicancy is so general, and where relief is so freely given, but that the number of impostors must be enormous. But there is another evil to which a poor-law would peculiarly apply, and which is, in truth, one of the greatest evils to which the country is subject—it is, that the usual mode of obtaining a livelihood, with the labouring classes, is from a small holding of land. If you deprive the poor labourer of his small holding of land, he is immediately driven into a state of destitution, and he becomes ready for the commission of any outrage, in order that he may supply, by outrage, what mendicancy may be unable to procure for him. I put the case without referring to the question whether the landlord or the tenant has acted badly or not; but in either case, where the labourer is turned out of his holding, it leads to the commission of outrage. If you suppose a number of persons driven suddenly from their small holdings by their landlord, you can then suppose the combinations that are formed, that they return in numbers,—that they come in arms, and endeavour to deprive the tenant succeeding them, and thus repossess themselves by force of the land. But put the case the other way. A tenant is in possession of a holding for three or four years, and this without paying any rent, and the landlord is compelled to get rid of him. That bad tenant, such is the state of the neighbouring classes, collects the sympathy of

that class, and they arm themselves against the landlord. A band is formed for the commission of crime, and the crime finds an excuse, and an apparent justification, in the sympathy of the peasantry of the country. Let me advert to one case, for there are many cases of outrages, all arising from this source, in Ireland. The case occurred about two years since, and I noticed it in the police report; it shows the sympathy of the peasantry for a person in the condition I have described. A tenant was dispossessed from his holding; a person had taken possession, and he came upon the land, with a farm servant, to cultivate it; the farmer who had been in possession came near to them with a gun in his hand; he immediately aimed it at the new tenant—it missed fire; he cocked the gun again, fired at the servant, and shot him dead on the spot. There could not be a more unprovoked homicide than that. It was evident that the farm-servant, who had nothing to do with the holding, and who went there to earn his wages as a labourer, was basely murdered; and yet the police, who were in an hour afterwards at the place, could not find persons to give them information as to who committed the murder. Information was refused, because the sympathy was for the person who was driven from his holding. This state of society has been produced by the absence of any legal provision for the poor. It has produced on the one hand the most extensive mendicancy, and on the other the most extensive crime. It has produced, too, a third consequence, namely, the indifference or neglect, the want of care on the part of landlords as to the manner in which their property is cultivated and their tenants live. In a great part of Ireland, indifference prevails as to the comfort of the tenants on the part of the landlords. In this country, the state of the labourers is looked to, and the state of repair of the farmhouses. A great amelioration,

I believe, in this respect, is taking place in Ireland; but, generally, the landlords in Ireland regard the connexion as a mere bargain between them and the tenant, by which they are to obtain a certain rent from him. They no more care for the welfare of the tenantry, than if they had to do with an indifferent or third person, and with the payment the transactions are at an end. The competition for land in Ireland likewise gives rise to very high rents, to very high nominal rents, which no tenants can pay. The extreme competition for land, too, leads to most injurious consequences, and of course it leads, too, to the extremely bad cultivation of the land. There are parts of Ireland in which tenants would be glad to improve the land, but will not do so because there is an extreme competition for land, and also from extensive vagrancy they find it impossible to do so. I will take the liberty of reading a sentence from the report of Mr. Nicholls, in which he deals with the evils that arise from this source. They are thus disposed of in a very few words:—

'Ireland is now suffering under a circle of evils, producing and reproducing one another. Want of capital produces want of employment—want of employment, turbulence and misery—turbulence and misery, insecurity—insecurity prevents the introduction or accumulation of capital—and so on. Until this circle is broken, the evil must continue, and probably augment. The first thing to be done, is to give security—that will produce or invite capital—and capital will give employment. But security of person and property cannot co-exist with general destitution. So that, in truth, the drainage, reclamation, and profitable cultivation of bogs and wastes—the establishment of fisheries and manufactures—improvements in agriculture, and in the general condition of the country—and, lastly, the elevation of the great mass of the Irish people in the

social scale, appear to be all more or less contingent upon establishing a law providing for the relief of the destitute.'

With respect to that part of the case, we have come to the opinion, that it is expedient and right to introduce a law for the relief of the destitute. The next question is, in what manner is that relief to be given, and to whom is it to be given? I have already stated, that I do not think that we ought to limit relief to certain classes. You must give relief on the ground of destitution, and to every class and person in a state of destitution. The next question arises, whether you are to afford relief in any other manner than it is now given in some of the improved districts in England—that is, by in-door relief to the paupers? The Poor-law Commissioners have expressed a very strong opinion upon this subject, and they give reasons which I think conclusive on the subject. They are of opinion, and I think with them, that the administration of out-door relief would lead to a most pernicious system, mixing up mendicancy and charity with labour—a class of persons partly obtaining support by labour and partly relief from the public purse; and, if we were at once to adopt this system, I certainly do think, that not only would those evils take place in Ireland that existed in England, but I believe that those evils would be very much greater, and that out-door relief in Ireland would absorb a much greater part of the profits of the land. I am confirmed in this opinion by a report which I lately received containing resolutions bearing very much on this subject. It is a report from the Mendicity Institution of Dublin. They 'declare that they do not think it wise to administer out-door relief to any person not labouring in the Institution itself.' I will next come to the question whether, if we adopt the present system of workhouses, that system of workhouses can be rendered effectual? There is one objection to them stated on this ground, and it is urged

very strongly by the Commissioners. I know it was felt very strongly by some individuals in that commission, that the workhouses would not be safe—that there would be too much violence—that there would be such an indisposition to the restraints that those restraints could not be enforced. Mr. Nicholls, for the purpose of establishing this fact, made a full inquiry into all the various houses of industry, the Mendicity Institution, and the other institutions that exist in Ireland, and he says that the conduct of persons in these institutions gave no reason to apprehend anything of the sort. He observed, that in some of these houses of industry they have carried the system of restraint farther than in some of the old English workhouses; they have established the separation of the sexes, and of the members of families, such as were established in the new union workhouses in England; and he did not find any regulation proposed to be made which did not now exist; on the contrary, every regulation is submitted to by the inmates of those houses of industry. I should think, therefore, as far as the question of settlement is concerned, there need not be any fear that there will be any violence used, or that we cannot protect the workhouses in Ireland, as well and as securely as in England, for the object of obtaining the result we desire, of maintaining good order and industry in them. The next difficulty, or rather another objection, has been stated, which lies at the bottom of the whole question. It is, whether this species of relief will not be so much sought after, that the workhouses will be crowded with applicants, and that there will be no means of affording relief to the numbers who ask to be supported in the workhouses. But, Sir, while I am ready to admit that that portion of the population which consists of persons decrepid and infirm will seek refuge in workhouses, it is, in my opinion, very doubtful whether any persons who can obtain subsistence

by individual labour will crowd into the workhouses, where they will be subject to confinement and labour. The evidence goes to show that nothing is more unlikely than that labourers who can obtain any sort of employment, or who have any other means of livelihood than by confinement in workhouses, will crowd into the workhouse, either because the quality of the food or the habitation is very much superior. It remains to be considered how far a law so constituted can be carried into effect. And, on this part of the subject, Mr. Nicholls has made various suggestions, to which I shall shortly advert, as containing the plan which he proposes to adopt. In the first place, with respect to the mode of administering relief, and the question of vagrancy. To every destitute and decrepid person, the authorities having the superintendence of the administration of the law shall order relief to be given; that is to say, we do not propose to give them an absolute right, which, in fact, I do not think exists in England; we do not propose to give an absolute right to destitute and decrepid persons to secure relief in the workhouses. The reasons for this are, that not only would it be found difficult to build workhouses, but very unsafe to establish at once, in the whole of Ireland, that every person should be at once relieved. We do not, therefore, propose to establish at first more than four or five, or ten or fifteen, workhouses in Ireland. If we say that all persons in Ireland shall be allowed to have relief in these workhouses, then these workhouses will certainly be overflowed in the beginning, and the experiment may be said to have failed, when in fact it had only failed because it was not established throughout the whole of the country, but only in a portion. It is impossible to have evidence of the true working of the system until the whole is established; and, in order to give effect to it, it must afford relief to all that require it. But, then, it may be

said, and it has been very much insisted upon, that the way of preventing such numbers from flocking into the workhouses is to establish the law of settlement, and to say that a residence of three years in the district, or some other qualification, should be established, by which certain persons only should be entitled to relief. But, Sir, on reflecting on the course of legislation that has been pursued in England, I have not made up my mind to propose any regular law of settlement in Ireland. I am quite convinced that the law of settlement is one of the greatest evils of the Poor-laws of England. It circumscribes the market for industry, it confines it, owing to divisions in parishes, in many cases to a small extent of country; it confines the market for industry to a very great and injurious extent. It likewise has led to immense litigation; and any person who had attended the quarter sessions and seen the disputes that arise there between one parish and another as to whether a person had been hired for a year and a day, whether he had been ordered to go home on the day before the expiration of that term, so as to destroy the settlement, or whether he had served a full year and a day, and various other similar questions —any person who had attended to this litigation and those disputes will not have any wish that I should in this bill introduce the question of settlement. Neither can we say, what is certainly greatly to be desired, that we will at once prohibit altogether and put an end to vagrancy. When the whole of the workhouses are in operation, and when we are enabled to relieve at them all such as are fairly entitled to have relief in the workhouses, then you may say we will not permit vagrancy. First, then, to all destitute persons who seek nothing but subsistence that subsistence we give, and tell them that we will not allow them to disturb the peace and order of society by seeking subsistence by other means. But until you can do this it is not just

altogether to prohibit vagrancy, and I therefore do not propose to prohibit persons seeking alms, if they can show that they have been to the workhouse or have applied to the guardians of the union and have been refused relief. This, I think, is a necessary step in the transition from one state to another. If the scheme succeeds we shall be able hereafter finally to prohibit vagrancy. The next question that arises is that with respect to the local machinery. I propose, with regard to this point, that there shall be a board of guardians, to be elected once a year, as in England. I propose that the county cess payers shall make the first election, and afterwards, the rate being imposed, any person properly described as a rate-payer shall have the power of voting in the election of the board of guardians. Mr. Nicholls has entered very minutely into the question whether or not we ought to have *ex-officio* guardians in the same manner as in England. The opinion I have come to is, that it is not advisable to introduce a similar provision. In the first place, by the proportion which the *ex-officio* guardians bear to the number elected, the character of the board of guardians is altogether destroyed. I therefore propose that there shall be a smaller number of *ex-officio* guardians, and that they shall not exceed one-third of the number of elected guardians. Mr. Nicholls has likewise examined another question, viz. whether clergymen should be admitted as members of the board of guardians? He states, and, as I think, truly, that you cannot have the ministers of one profession without the ministers of the other; and, in the present state of Ireland, the presence of different ministers of religion on the board of guardians might raise many questions of dispute; and I think, therefore, it would be better if the board of guardians were confined altogether to laymen. It must indeed be remarked that from clergymen of all denominations, from Protestants, Roman Catholics, and Presbyterians, Mr. Nicholls received

assurances of their willingness and anxiety to co-operate with the board, while some of them stated that they would rather be in the position of mediators between the board of guardians and the destitute poor, between the administrators of the law and those whom it would affect, where their exertions would be more efficacious in reconciling the poor to the law, and to those who would be exposed to their angry denunciations, than be members of the board. I think then that for these reasons it would be better that they should not be members of the board, but rather remain in that position in which they would be better enabled to use all fair exertion in favour of the law than if they aided in its administration. Now, Sir, with respect to the question of rating, it is proposed that the board of guardians being once constituted, and under the direction of the Commissioners whom I shall afterwards describe, shall impose rates according to the net annual value of the hereditament. The question then arises, and it will be found fully treated by the Poor-law Commissioners, how much of this rate shall be imposed on the owner, and how much on the occupier? It is proposed by the bill which I hope to be allowed to introduce that, of the rate levied on full net annual value, one-half shall be paid by the tenant and the other half by the owner of the land, that this provision shall be carried through in all gradations, and that when there are many tenants holding, such tenant who is the lowest occupier shall deduct one-half, and the person to whom he pays it shall have the power of deducting a certain proportion of the half as rate, and shall pay the rate on what he receives from the occupier. So that, in point of fact, all owners liable to be rated, and paying a sufficient amount, shall be entitled to vote for the board of guardians. But with respect to others who hold property under 5*l.*, it is proposed that they shall not be liable to the rate, and shall not have the power of voting

for the board of guardians. It is proposed likewise, according to the report, that owners and occupiers shall have a plurality of votes in cases where the property exceeds a certain amount. With respect to the other questions which are treated of in the English Poor-laws, it is not necessary in any poor-law for Ireland to introduce provisions on these subjects. For instance, regulations as to bastardy need not be introduced, and apprenticeship is not proposed to form part of the law as in England. With respect to the cases of the Mendicity Institution and other charitable institutions it is proposed that they shall be under the direction of the Commissioners, who are to have the conduct and management of the whole administration of the law. With respect to the Commissioners, I think that the safest manner of introducing such a law as I have described is the simple machinery which has been found so advantageous in England, and through the aid of persons fully acquainted with the principles of the law of England, and who have been employed in carrying it into operation. We therefore propose that, instead of forming a separate Commission for Ireland, the Poor-law Commissioners for England shall have the power of intrusting to one or two of the Commissioners, and if there is only one, to any of the Assistant-Commissioners the power of sitting in Ireland as a Board of Commissioners, in order to carry the law into operation there. It is proposed that in case it should be necessary to add to the strength of the present Board of Commissioners, if the present number shall not be found equal to the task, then the Board shall have an addition of one Commissioner, thus making four. When there are four Commissioners there will be found very probably one or two in Ireland and the others in England. I think this a better mode of proceeding than by establishing a new Board of Commissioners. It is far safer that we should have persons already intimately acquainted with the ope-

ration of the law. It is far better that they should form a part of, and have the power of communicating from time to time with, the Board in England, because if we establish a separate Board of Commissioners in Ireland, a totally separate Board, we shall probably, in the course of a few years, find the Commissioners of England and Ireland acting upon totally different principles. According to the testimony of the gentleman at the head of the Commission in England, he believes that three Commissioners only will be able to conduct all the operations required both here and in Ireland. These Commissioners will be intrusted with the power of putting the law into operation from time to time, according as they may see opportunity, in the different districts which they may think most favourable, and then they will proceed to other districts. They will form unions, either of parishes or of districts, or, without attending to the present divisions, they may form unions, and having formed an union, they will proceed to adapt any building that may be standing for the purpose of a workhouse, or they may build a new workhouse if necessary. There is a considerable difference of opinion between the persons who have considered this subject with respect to the size of the workhouses and unions. A gentleman who has published a pamphlet on the subject, written with very great talent, proposed that there should be 500 unions, and that the number of inmates in the workhouses should be limited to 200 in each workhouse. Mr. Nicholls proposes that the unions should be more extensive, that there should not be above 100 unions, and that each should be capable of containing 800 inmates. This calculation is made according to the unions of Kent, Sussex, Oxford, and Bath. The amount of pauperism in Suffolk is one per cent. of the population. I can mention an instance in East Kent of a place where the able-bodied persons are 16,000, but there are not more then twenty-four in the

workhouse. But suppose in Ireland the workhouses are to be fully occupied, Mr. Nicholls calculates that the whole expense for each person, including lodging, fuel, clothing, and diet, will be 1*s.* 6*d.* per week. We have calculations made by order of the Poor-law Commissioners, and the calculation of the expense of the workhouses in England by Dr. Way, and they all come to very much the same conclusion on the same subject, viz. that 1*s.* 6*d.* per week is quite sufficient. If, then, you take 100 unions, the whole expense will be 312,000*l.* Besides this, as an original outlay, we must calculate the expense of workhouses at 700,000*l.* This would be the amount of the whole expense according to this plan. But, Sir, while I consider that this plan is one of great importance, while I consider that it will in many respects improve the condition of the people of Ireland, while I consider that it will have many collateral advantages, as, for instance, accustoming the people to see examples of cleanliness and regularity, order and peace in the workhouses, and likewise, if the board of guardians are well formed, of seeing the different classes of the people acting together with cordiality and confidence, from the magistrate to the lowest of the rate-payers. While I calculate that this plan will have these advantages, I must say that to suppose that merely by machinery of this sort the people are to be saved at once from the state of destitution in which they now are, is quite unreasonable. In order to effect this, we must look forward to having the means of employment in Ireland, and having some vent in emigration, in order to relieve the country during the state of transition. Let it not be supposed that I believe, when I speak of emigration, that the present eight millions of inhabitants living in Ireland may not be very well sustained, and sustained with good and sufficient means, by the soil of Ireland, but I believe that hitherto, with the means of so doing, a practice has pre-

vailed, and still prevails, which will render unlikely that this operation should have a successful result without some collateral resources for easing the country of her superabundant population. As to the nature of the public works to be engaged upon, that is a point which I will not discuss now. It appears to me that there are various means open for the application of the labour of the poorer classes which might lead to the happiest result; but at the same time they should be adopted with great judgment and sound discretion. I think that with care and attention we may find materials for public works of such nature, which, whilst they serve the temporary purpose of employing the time of the indigent, may be the means of opening new sources of industry, and for the profitable investment of capital in Ireland. The opening of improved communications between different districts, for instance, and the improving of bogs and draining, are questions well worthy of the application of labour and the investment of capital. This, however, as I said before, is a branch of the subject upon which I will not enter at present. It may be remarked that there is no great quantity of capital in Ireland available for such purposes as I have mentioned, but it should be recollected that if we provide means by which a feeling of security, which does not exist at present, may be promoted amongst the owners of property, capital will immediately begin to flow in for investment. I have now to say a few words in reference to emigration, in connexion with the subject before the House. I know there are some who entertain notions upon this subject far beyond those which I am inclined to adopt, in favour of an enlarged system of emigration. It is a scheme entertained by some, that one or two millions of our poor population might be exported to our colonies, and immediately find means of support in the new field of employment there opened to them. Now, putting aside all other difficulties which may

be in the way of this desired result, and viewing the attempt merely in respect to the effect of such a proceeding upon the colonists, I think that the ferment created amongst them would be so great as to throw hopeless impediments in the way. It would at once be supposed by them that we were sending in amongst them a vast quantity of our useless population, paupers who conferred no benefit upon the country they were exported from, and therefore, as they would argue, likely to prove an evil instead of a source of benefit and productiveness to the new soil in which they were to be placed. I know that there is a very great feeling of this kind already prevalent in our colonies, and in some even it has been thought desirable to exercise a sort of control as to the class of emigrants which should be admitted. Such a plan has recently been recommended to the Colonial-office, and I hope it will be persevered in, particularly not to give large tracts of land indiscriminately to parties proposing to emigrate, at the imminent risk of their not being properly cultivated, and the parties themselves not benefitted by their possession; but to sell the land at what might be considered a fair price to persons who, by showing themselves ready to advance a little money upon it, gave the best possible earnest of their intention and ability to improve and render it productive. In one colony alone, that of New South Wales, the sale of lands in this way, during the past year, has produced 100,000*l.*, and this sum might be employed with success in the conveyance of emigrants. I am aware also that a notion used to be prevalent that persons sent out in this way from amongst the poorer classes of Irish were not of a description to be very desirable or useful to employers; but I am convinced that this feeling of prejudice or jealousy will not long interfere in the way of this employment when it is found that there are many emigrants from Ireland willing and able to cul-

tivate the lands of those who may hire them. With regard to this subject I may state, therefore, that it will be proposed that there shall be an emigration station at different sea-ports of Ireland, and that the persons proposing to emigrate, having raised a sufficient sum for that purpose, should inform the agent, who would send them to the sea-port, where a ship to be provided by the agent should be ready to convey them. The Government will pay the expenses of the agent, and also provide some proper officer for the command of the emigrants. By means of these precautions the colonists will be certified that the persons brought amongst them are proper persons for the purpose, and not merely paupers driven away to prevent them from starving in their native land. This is a plan which, if adopted, does of course not contemplate any vast number of persons being sent away together; but it will at the same time afford a vent by which a redundant population—and particularly those who cannot find adequate employment at home—may seek it with facility elsewhere. In establishing a system of poor-laws for Ireland it appears to me that we must look upon these two subjects—public works and emigration—as means for co-operating with, and perfecting, such an enactment. We should look also to the general improvement which, we are informed on all hands, is going on in Ireland, and we shall find much to hope for in the accomplishment of these objects. If, on the other hand, the whole state and condition of the country were going backward—if the whole revenues of the country were diminishing—there would then, indeed, be some difficulty in such a plan as that I now suggest; but considering, as I do, the whole country to be in the way of improvement, I think there is much to hope for from the plan, and every reason for its adoption. It is proper, however, that the House should understand, that what I have stated in regard to public works and

emigration bears no direct reference to the measure which I now hope to introduce. These subjects form no part of my present object, which is strictly to introduce a Poor-law Act for Ireland. They are subjects, therefore, which I merely touch upon now as worthy of consideration as future resources, in co-operation with the measure I now propose. I would observe also, that I do not consider that these are branches of the subject in which the Poor-law guardians could properly be employed. I do not think it would be safe to intrust them with the management of public works and emigration, in addition to the labour and duties of their immediate department, although, at the same time, I think they may be made very useful in diffusing information on the subject. There is one other question collateral to this matter, which, before I sit down, I wish very briefly to touch upon. The Poor-law Commissioners for England, in the end of their Report, make the following observations:—

'It will be observed that the measures which we have suggested are intended to produce rather negative than positive effects; rather to remove the debasing influences to which a large portion of the labouring population is now subject, than to afford new means of prosperity and virtue. We are perfectly aware that for the general diffusion of right principles and habits, we are to look, not so much to any economic arrangement and regulations, as to the influence of a moral and religious education; and important evidence on the subject will be found throughout our appendix. But one great advantage of any measure which shall remove or diminish the evils of the present system is, that it will in the same degree remove the obstacles which now impede the progress of instruction and intercept its results, and will afford a great scope to the operation of every instrument which may be employed for elevating the intellectual and moral condition of the

poorer classes. We believe that if the funds now destined to the purposes of education, many of which are applied in a manner unsuited to the present wants of society, were wisely and economically employed, they would be sufficient to give us all the assistance which can be prudently afforded by the State. As the subject is not within our commission we will not dwell on it farther, and we have ventured on these few remarks only for the purpose of recording our conviction, that as soon as a good administration of the Poor-laws shall have rendered farther improvement possible, the most important duty of the Legislature is to take measures to promote the religious and moral education of the labouring classes.'

These are the words with which the Bishop of London, the Bishop of Chester, and Mr. Sturges Bourne conclude their valuable observations on the Poor-laws of England and Wales; and if the remark is true in regard to England, it is doubly so, in my opinion, in respect to Ireland. I do not wish to enter now upon disputed points connected with this subject, but I have always heard it admitted, even by those who disapprove in general of the present system of national education pursued in Ireland, that it is proper and expedient that the Roman Catholics of Ireland should be educated; and whatever means are to be adopted for so doing, I think it should be such a system of education that the great mass of the people may look to it for improvement and instruction. In administering Poor-laws to Ireland, Parliament should keep this in view, that whatever is good for the moral condition of that country they should endeavour to promote, to extend, and to mature. Not only should we employ ourselves in relieving the indigent, in repressing outrage, and in establishing a feeling of general confidence in rich and poor by so doing, but we should endeavour also to sow the future seeds of virtuous habits, and heighten the character of the poorer classes of Ireland.

We should endeavour to give them that wholesome education which will enable them to do their duty to their God and to man; which shall furnish them with motives and incitements to do so; which shall eradicate and destroy the false notions and views of morality which they had formerly entertained, as respects their state as subjects to the State, and as responsible and immortal creatures. Provided we are all agreed upon the advantages of such an education, and that all should have the benefit of it, let us endeavour to afford it by such means as shall not interfere with their religious opinions. I shall conclude, therefore, by observing, that whilst I look upon the law which I now propose to introduce as one likely to effect very great benefits for Ireland, I look still more strongly hereafter to the fruits of such a system of legislation as that I have briefly hinted at; and I am confident that legislators who shall accomplish such good for Ireland will receive the reward of their own good opinion, and of the good opinion of the whole of the inhabitants of that country.

MUNICIPAL CORPORATIONS AND TITHES (IRELAND).

March 27, 1838.

Lord John Russell:—The House will see that, as the right hon. Gentleman, in putting his question to me, has gone into some detail, it will be necessary for me to go to a greater length than would otherwise have been requisite in answering him; but, to put myself within the rules of the House, I shall now move, that the House resolve itself into a Committee, to take into consideration the question of Irish tithes on a certain day, to be hereafter named. The right hon. Gentleman has stated, that

four months have elapsed, and that no measure has been brought forward with respect to Irish tithes. It does appear to me that it is the better course; and the more I consider all that passed last year, the more I am confirmed in that opinion, that the House should give its attention, as much as possible, to certain measures that are brought forward; that we should dispose of those measures in as short a time as we are able, in order to send them to the House of Lords, so that that branch of the Legislature may, from time to time, have them under its consideration; and that we should not be obliged to send them all our measures at the same time, and thus subject them to the unpleasant necessity either of rejecting them, or of entertaining them when, according to their declarations, there is not sufficient time to give them a separate and due consideration. In illustration of what I have stated, I beg to say, that the first measure recommended by her Majesty to the serious consideration of Parliament, viz. the Poor Relief (Ireland) Bill, has been seriously considered, not only on the second reading, but during ten nights that it has been in the Committee. I do not think, then, it can be said either that the recommendations made by her Majesty to this House have been neglected, or that it would have been wise to interrupt the progress of the Poor-law for Ireland by the introduction of any other measure. With respect to the question of Irish tithes, it stands in this very peculiar situation—that it has now been, during four years, under the consideration of Parliament. In the year 1834, a bill was sent from this House, and was rejected by the House of Lords. In the year 1835, a bill was sent from this House; and was so altered in its principal provisions, that it was not proceeded with in the House of Lords. In the year 1836, a bill for the same purpose was framed, and having been curtailed of a great number of its provisions—more

than half—by the House of Lords, this House rejected the amendments, and, in consequence, no legislative measure on the subject was passed. In the year 1837, another measure was introduced, and, in an early stage of that bill, my noble Friend, the Member for North Lancashire (Lord Stanley), declared, that unless the House agreed with him in altering certain provisions of the bill, he would oppose it on the third reading. I considered that declaration as signifying, that those who took the same view he did of this measure in the House of Lords would be disposed to oppose and reject this bill. Now, Sir, I am quite ready to declare, that I do not think it wise, whether with reference to the interests of legislation, or to the respect due to the different branches of the Legislature, or to the interests of the parties concerned, of those who describe themselves as the exclusive representatives of the Church of Ireland, as well as of those who are the supporters of the measure, that this fruitless contest should be carried on between the two Houses of Parliament. Therefore, it is the anxious wish of her Majesty's Government, in proposing a measure relative to tithes during the present year, to propose it on a ground altogether new. Whether that ground will be satisfactory or not, I cannot say, but I hope it may be considered worthy to form the basis of an adjustment, and prevent the ill consequences of perpetuating the conflicting views entertained in this and in the other House of Parliament on this exciting subject. I think, also, it is the duty of her Majesty's Government, in bringing forward the question again, after all that has taken place concerning it, that, as far as may be in their power, they should propose a comprehensive measure, and one which, if carried, will give that without which I consider that no measure can be comprehensive and final, viz.: on the one hand, security to the Irish Church; and on the other, satisfaction to the people of

Ireland. It is with these views I mean to give notice that on April 30, this question will be introduced to the House; and I have also to state that the nature of the measure I have to propose is such, that it will not be possible to introduce it by the same kind of general resolution by which we introduced the measure of former years, but it will be necessary to take the sense of the House on various resolutions, as the groundwork of the measure. I think it, therefore, my duty to state what those resolutions will be; I consider it my duty to state them, that the House may have a general view of the nature of the Bill it is intended to propose. At the same time that I declare it to be the anxious wish of her Majesty's Government to come to a settlement of this question, I must say, that I do conceive there is at present in Ireland, on the part of those who, in former years, have opposed its settlement, a great and growing anxiety to see it set at rest; and I do think that it will be for the advantage not only of that party but of Parliament, and also of the people of Ireland, that the question should be finally disposed of. In addition to these few words, I have only farther to say that I certainly have observed, since the beginning of the Session, that some petitions have been presented to this House which have stated that the clergy are satisfied with the existing state of things: but, on the other hand, meetings have been held at which a contrary feeling has been expressed. If there be a wish for a settlement I do not think it is impracticable; but if, on the contrary, it is the opinion of the parties most interested that it would be better for the present law to be allowed to operate without any alteration, in that case, perhaps, Parliament will not consider it the duty of her Majesty's Government to propose any measure for the permanent settlement of the whole question. I will now read the resolutions which I propose to move on the day that the question is brought

forward. The noble Lord read the following resolutions :—

'1. That it is the opinion of this Committee, that Tithe Composition in Ireland should be commuted into a Rent-Charge at the rate of seven-tenths of their amount, to be charged on the owner of the first estate of inheritance.

'2. That it is the opinion of this Committee, that on the expiration of existing interests, so much of such Rent-Charge as shall be payable in lieu of Ecclesiastical Tithe, should be purchased by the State, at the rate of sixteen years' purchase of the original Tithe Composition.

'3. That it is the opinion of this Committee, that the Ecclesiastical Commissioners for Ireland should be empowered, with the consent of the Incumbents, to demand from the State the purchase at the same rate of any other portion of Ecclesiastical Tithe Composition or Rent-Charge, not exceeding one-tenth of the whole amount in any one year.

'4. That it is the opinion of this Committee, that until such Rent-Charge shall be purchased or redeemed, the amount of Ecclesiastical Rent-Charge and Ministers' Money should be paid to the Incumbents from the Consolidated Fund.

'5. That it is the opinion of this Committee, that the arrangement of such payments, and the investment of the purchase monies paid by the State for Ecclesiastical Rent-Charge, should be intrusted to the Ecclesiastical Commissioners for Ireland.

'6. That it is the opinion of this Committee, that the Rent-Charges for Ecclesiastical Tithe should be appropriated by law to certain local charges now defrayed out of the Consolidated Fund, and to Education; the surplus to form part of the Consolidated Fund.

'7. That it is the opinion of this Committee, that the Rent-Charges for the Ecclesiastical Tithe and Ministers'

Money should be collected by the Commissioners of Woods and Forests for five years and until Parliament shall otherwise provide.

'8. That it is the opinion of this Committee, that further provision should be made by law for the regulation of Ecclesiastical Duties, and the better distribution of Ecclesiastical Revenues in Ireland.

'9. That it is the opinion of this Committee, that provision should be made for the revision of certain Tithe Compositions, where such Compositions operate with injustice.

'10. That it is the opinion of this Committee, that the Rent-Charges for Lay Tithe should be collected by the Tithe-owner, and facilities afforded for redemption upon mutual agreement between the parties.'

I propose that these resolutions be printed, and, in conclusion, beg to give notice, that, on April 30, I shall bring the subject under the consideration of the House.

END OF THE FIRST VOLUME.

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